

A
NARRATIVE
IN
JUSTIFICATION
OF
Injured Innocence.

WHEREIN

Cowardice, Fraud, Tyranny, and
Oppression are detected and exposed.

TOGETHER

With some of the principal Causes of that
extreme Aversion which Seamen commonly
shew to the Royal Navy and the Service of
their Country.

To which is annexed,

A Chart of the Streights of *Gibraltar*, and
the adjacent Coasts.

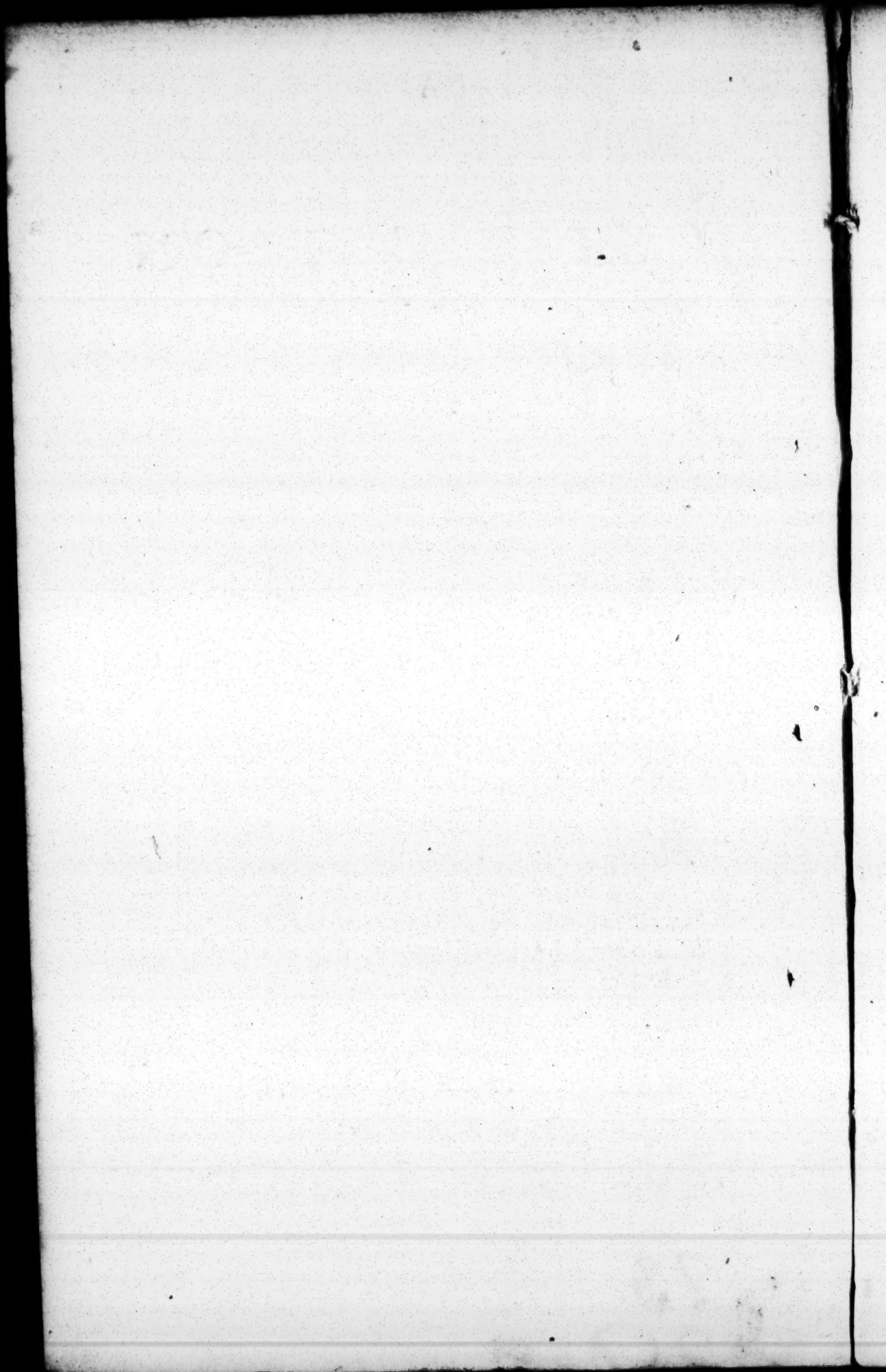
Written by a Country Gentleman.

*Iustum, & Tenacem propositi virum
Non civium Ardor prava Juventium
Non vultus Instantis Tyranni
Mente quatit Solida, Neque Auster
Dux, inquieti turbidus Adriæ.*

Horace Carm. Lib. iii. Ode iii.

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T H E
P R E F A C E.

AS it will probably appear extraordinary, that neglecting my horses and my hounds, I should attempt to write on a subject relating to seamen, and sea affairs, which I (as a land-man) must confess I am an absolute stranger to ; so it may be expected that I should give some account of the motives that have induced me to it.

As I was lately looking over the voluminous list of sea officers, I was extremely surprized to find Mr. S—I's name still among the Lieutenants, and the rather because a long acquaintance, and frequent opportunities of conversing with him, had led me into the belief that he was a man of spirit, well skilled in his profession, and capable of doing great service to his country. This naturally made me desirous to know the cause why his long services were still unrewarded, and meeting with some sea officers at our races, I asked them if they knew L. S—I, and what character he bore : they told me they had been in his company several times, both at home

and abroad, that they believed he was a very brave, experienced, good officer, that they knew no ill of him themselves. But—they had heard several reports to his prejudice, and among others, that if he had been tryed at a court martial some years ago he would have been rendred incapable of ever serving in his Majesty's fleet. I have since made it my business upon all occasions to enquire about him, and have always received exactly the same account. I thought it not at all inconsistent with the humours, and spirit of the times, to find so many people, carried away with the stream of prejudice, against a man, whom they unanimously declared, they knew no ill of themselves, but did acknowledge to be a good seaman and officer: I would not be so weak, nor so unjust, as to join with the multitude in condemning a man upon hearsay, neither would I be so base, as to recommend him to the service of my country before I was well assured, and fully convinced that he was qualified, and deserving it, and therefore remembering the maxim

Audi alteram partem.

I wrote to L. S—l, insisting upon his giving me a just, faithful and satisfactory account of himself, on pain of forfeiting my esteem, and future friendship; and I must own it gave me great pleasure, to find a man, to whom I am a well wisher, justifying himself so fully, and in so clear a manner, that I am inclinable to think, he is one of the most injured men now living. But tho' his story is most moving, well connect-
ed

ed, and strongly supported with evidence as well as concurring circumstances, I have thought it consistent with the rules of common justice to acquaint those gentlemen (whose names I would not willingly expose) with what is laid to their charge, and at the same time to suspend my judgment, and candidly wait, and hear whatever they may (if at last they should have any thing to) offer in their own justification; for as on the one side, if L. S—l has been guilty of telling me a syllable of falsehood, it will reflect the darkest shade of infamy upon himself; so on the other, if what I have learned from him, and other hands, should prove true, I don't know whether his oppressors may not very justly be numbered among the greatest v—ll—ns that the present or preceding ages ever produced.

To your equitable censure, candid and impartial readers, you that are lovers of justice, and supporters of the liberties of your country, the following Narrative is humbly submitted, merely from a desire to justify injured innocence.

You'll find with surprize and astonishment a man zealous for the honour of his King, and the interest of his country persecuted and treated worse than a slave in Turkey, insulted by Mr. L—g—n his captain at the instigation of a young coxcomb.

You'll find a resolute honest man, stemming the torrent of wickedness, refusing his assent to wrong measures, offering at the hazard, and peril of his life to encounter the greatest dangers for the

service of his country, but thereby bringing upon himself the unjust resentment of his guilty C—m—r, who to screen himself from punishment, presumed to write a most palpable lye to his superiors, imputing his own notorious disobedience of their orders to the council of L. S—l, who had advised him quite contrary; then in the face of justice, to his own lasting shame and infamy, is obliged to recant.

You'll find this man terrified with the image of his own crimes, unable to bear the recital of them, accusing L. S—l of perjury, thereby eluding the laws, and as it were escaping with impunity, but presently obliged, to yield to the superior force of prevailing truth, and most infamously to make a second recantation.

Then in order to ruin the man, whose virtues rendered his own vices more conspicuous, you'll find him making L. Jambier (anglicè L. G.) the tool to bring about his wicked purposes, taking an advantage of his weakness, spiring him up to fight, and engage in a quarrel, not originally his own, and at the same time L. S—l baffling all their schemes, which ended in shame and disappointment to themselves, whilst he himself gained the approbation of the C—m—r in C—f. Eight months afterwards, you'll find their excessive resentment, like smothered flames, bursting out at last with irresistible fury; L. S—l treated most barbarously, but giving unquestionable proofs of fortitude, supported by innocence, making repeated applications for a court martial, but at last overborn by the superior interest

interest of his C— dismissed and set adrift in a remote part of the world, denied justice, and even refused to be heard by the C—m—r in C—f, who nevertheless was so rash soon after as to write upon hearsays only, such a severe letter as stopt his preferment. C. L—g—n returning to England three years after, you'll find him still violently agitated with the remorse of a guilty conscience, voluntarily submitting a third time, to recant all the ill things he had said of L. S—l, and not only giving him a sum of money by way of indemnification, but clearing his reputation, and declaring his innocence in the strongest terms possible, and throwing all the blame upon L—g, the wretch whom he had found unable to execute his vengeance. Upon these conditions L. S—l gave C— L—g—n a release, and sincerely forgave him all personal injuries; he then was promoted to the resemblance and half pay of R—r A—l and went to reside at Dublin.

Next you'll find L—g acting the part of a rank coward, after having play'd the t—r—t in power, and having received the correction due to his insolence, he was so mean as to fix a lasting reproach upon himself, and to confirm his own shame and disgrace with the sanction of his own oath and affidavit, putting L. S—l in the crown office.

Mr. L—g—n being now transformed into a land A—l, thought himself secure, on the other side of the water, and still considered virtue and vice, right and wrong, truth and falsehood, as so many vain distinctions, and was so daring as to

send another certificate to L—g, contradicting every thing he before had said and signed to, in behalf of L. S—l; thus going from the excess of one vice to another, did he at length venture to add a fourth recantation to the measure of his crimes, and thereby laid L. S—l under a fresh necessity to justify himself.

*Next you'll find a triumvirate of learned ca-
suits extricating L—g, pulling him out of the
mire, and with wonderous art justifying his whole
conduct, but loading L. S—l with undeserved
blame, reporting him liable to have been broke by
a court martial, for a fact, which they neither
were, nor could be directed to enquire into; a fact
for which he could by no means be made answer-
able to any body whatsoever, six years after his
C—m—r in C—f had approved it.*

*Then you'll find these sophistical gentlemen art-
fully endeavouring by fair promises to prevail
upon him, to submit to their partial, and ill
grounded report, the intended instrument of his
disgrace, whilst he cautiously avoided the snare,
and bravely despised their promised smiles, when
the conditions were inconsistent with the character
of an honest man.*

NARRATIVE, &c.

S*** J*** N*** commanded a considerable fleet, and having cruized some time with his usual success upon the coast of *Gallicia*, he returned and anchored at *Sp—d*; the same Day C. T—s D—ll commander of his Majesty's ship *E—th* died; altho' he was extremely beloved, and very justly regretted, yet that loss soon became more sensible, from a comparison of his virtues and great qualifications, with the vices and extravagant follies of C. J—p's L—g—n who succeeded to the command of the said ship. Never did nature form two characters so diametrically opposite; for as the one was a brave, sober, thinking man, whose chief study had always been apply'd to his own profession, and the acquiring those arts and sciences which are absolutely necessary to the discharge of the duty of a sea officer: So the other was a man whose principles were such as (out of regard to human nature) I will not describe, and will only say, that as he stopt at no enterprize, that could minister to his pleasures, so he practised all the arts of deceit, to screen himself from detection, and the avenging stroke of justice.

Nevertheless as unhappy as L. S—l found himself in being second Lieut. of that ship, and
subject

subject to his wild, mad, capricious humours, yet he paid him strict obedience, and the same outward respect as if he had really deserved it.

In the beginning of *September* 1741, C—d—re C—w—ll commander of his Majesty's ship B—d, had orders to take under his command the E—th C. L—g—n, the E—x C. R—b—n, the M—b—g C. S—r, and a number of store ships and victuallers, and with them to proceed to *Gibraltar*, to reinforce R—r A—l H—d—k, and enable that A. to prevent the *Spanish* fleet then fitting out at *Cadiz* under the command of Don *Juan de Navarro*, from entering into the *Mediterranean*, and joining the *French* fleet at *Barcelona*, where both these fleets intended to take forces on board, and invade *Italy* in favour of *Don Philip*.

C. L—g—n of course had also an order to put himself under the command of C. C—w—ll, for tho' C. L—g—n was much the older man, and had commanded a sloop upon the *Irish* station some years before Mr. C—w—ll was had any command at all; yet Mr. C—w—ll not only much the senior Post Captain, but distinguished by his superior abilities, insomuch that in the year 1739, it was intended that he should have commanded a squadron, which was to proceed round *Cape Horn* into the *South Sea*, and in it's return to join Mr. *Anson's* squadron at *Manila* *. Nevertheless C. L—g—n, from a principle of self-love, and being wilfully blind

* Vide Mr. *Anson's* Voyage, p. 3. of the octavo Edit.

to his own failings, would often curse his hard fate to be commanded by one, whom, he said, he remembered a school-boy and a beardless stripling. Thus, being urged by envy and jealousy, did he constantly vent his resentment in the bitterest expressions against Com. C—w—ll; who, beyond all dispute, was generally reckoned as brave and experienced an officer as ever this island produced; of which indeed he has since given a lamentable proof, when on the ill-fated day that a battle ought to have been fought off T—n, he, deserted and almost alone, exposed to a far superior strength, bravely despised death, and in the midst of danger, still asserted his country's cause, to which he honourably fell a sacrifice.

The S**, sensible of his signal and eminent services, has recorded his heroick actions in the books of fame, and unanimously decreed, that a publick monument shall transmit to latest posterity the glorious example of this great man; in whose last moments his valour was admired by his foes, his fate wept by his friends, and his superior merit envied by the amazed C--m--r in Ch--f.

As the E—tb had suffered pretty much, and had sprung her main-mast in the preceding cruize, she required a new one and a great deal of refitting, Mr. J—n L—g, first Lieut. of that ship, soon after had leave and went to *London*. C. L—g—n being mostly on shore, the care of fitting the ship for the sea fell to the share of L. S—l. In the beginning of *September* it had

blown so hard for some time, that the yards and top-masts were struck, and boats had not been able to pass and repass between the ship and the shore, when L. *W—l—t*, being a beau, and a very pretty, an exceeding pretty gentleman, asked L. *S—l*'s leave to go on shore to the ASSEMBLY, L. *S—l* was extremely surprized that this young man was so indiscreet, as to think of going on shore at a time when the ship was in such a condition; but as remonstrances would have only imposed upon him and increased his vanity, by making him believe that his presence on board was really of some use, L. *S—l* told him very civilly he might go, if he pleased, and ordered the six-oar boat to be lowered to carry him on shore. At the same time L. *S—l* gave him the weekly account of the ship, and DIRECTED him to wait on C. *L—g—n*, and to desire him to sign it, and to send the boat off with it that night, in order that L. *S—l* might send it to Com. *C—w—ll* next morning.

Beau *Billy*, instead of complying with L. *S—l*'s directions, contrary to his duty, kept the boat on shore all that night and the following day. Early in the morning Com. *C—w—ll* sent one of his officers to L. *S—l*, desiring to know why he thus neglected his duty, in not sending him the weekly account of the ship on board of which he was commanding officer. That unexpected censure from a gentleman for whom L. *S—l* had the greatest esteem, making him very uneasy, he immediately ordered a boat to be hoisted out, and went on board the *B—d* to pay

pay his respects to the Commodore; who received him very civilly, but still kept up the dignity of his office, and made him feel that he thought he had not properly discharged his duty. L. S—l told the Commodore that he could not deny that he knew the *E—tb* was under his command, but flattered himself he should make it appear to him that he had not been wanting in his duty; that the bad weather had prevented him from getting a weekly account signed by his Captain, neither could he sign one himself, by reason that his Captain was supposed to be upon the spot, but that he had sent him one on shore the preceding night, and the boat was not yet returned. This answer appeared sufficient and satisfactory to the Commodore, who was pleased to say, he was sensible that L. S—l was not to blame.

Thus L. S—l justified himself to the Commodore without impeaching *W—l—t*, who was guilty of disobedience to his commands, and had exposed him to the danger of bringing the Commodore's heavy resentment upon himself, by having seemingly neglected that part of his duty, which he (*W—l—t*) had put it out of his power to execute. In the evening L. *W—l—t* returned on board; L. S—l asked the Coxswain why he had stayed on shore all night contrary to his orders? *W—l—t* immediately replied, that when he was once on shore he was no longer obliged to mind his orders, and that it was sufficient he had thought proper to keep the boat; and at the same time, without asking L. S—l what he

2

would

would have done with it, he went down into the ward-room. L. S—l remained upon deck, and saw the boat hoisted up and secured, then went down into the ward-room, and asked him for the weekly account; but the only answer W—l—t made was, that he had not seen C. L—g—n, and that he had something else to do than to look after him: L. S—l considered this extraordinary behaviour as the immediate effect of W—l—t's ignorance, and told him by way of a friendly caution, that perhaps every body would not be so kind as to wink at it, as he himself did, but that he would certainly be declared incapable of ever serving in his Majesty's Fleet, if he had to do with some people, who would have suspended and brought him to a Court Martial, for such his disobedience and breach of discipline. However, when the weather grew more moderate, a new main-mast was got in; and as L. S—l was desirous to use all possible expedition in rigging the ship, and compleatly fitting her for the sea, and there was a number of bomb-boat women, to whom C. L—g—n had given leave to come on board, these not only sold strong beer and cyder, but all sorts of spirituous liquors, notwithstanding all the care which L. S—l took to prevent it. By these means the seamen soon became intoxicated and incapable of doing their duty, especially of going aloft, without great danger of their lives. L. S—l considered this as tending greatly to prejudice and retard his Majesty's service, and that his own reputation would suffer thereby very much; therefore,

fore, in order to remedy this evil, he forbid these women selling any spirituous liquors at all, or any other liquors till the afternoon, upon pain of being turned out of the ship.

As one of these creatures, somewhat handsomer, tho' as common as the rest, had given frequent and repeated proofs of her affection to the beau, and had assured her dear *Billy* that she loved him to excess; she therefore imagined she had no occasion to mind the orders given by *L. S—l*, and publickly sold gin and brandy to the ship's company at ten o' clock in the morning, in which she being detected, *L. S—l* turned her on shore. Upon this the tenderly afflicted nymph complained to her lover, and he to *C. L—g—n*, who coming on board drunk, asked *L. S—l* how he dared to turn this woman out of the ship, when she had his leave to be there? He used *L. S—l* very ill, and went so far as to say, he had a great mind to break him, so precarious and dependent is the situation of an inferior sea officer, who, if he has a mind to secure his commission or to live easy, when he is so unhappy as to serve under such a Commander, must always shew a mean, abject, and slavish compliance to his will, even in matters not relating to his office. I wish this was not too often the case, even among officers of superior rank, and am extreamly sorry to have it in my power to quote flagrant instances of this kind of base servility.

When it was thought high time to listen to the general complaint of the Nation, and to enquire

quire into the conduct of two (fatally great) Sea Officers, were not men seen, who (tho' outwardly appearing like gentlemen) were regardless of their own reputation, and forgetting the respect due to the august Assembly, before which they had the honour to appear, degraded themselves, not daring to speak the truth with a freedom becoming their ranks and stations, becoming the character of honest and free-born *Englishmen*, but like mean abject slaves basely prevaricated, and, instead of doing justice to their Country, were only studious how to secure themselves against the future resentment of those supposed criminals, whose authority they might again (for any thing they then knew) one day fall under? This excessive influence is the bane of emulation, and has a pernicious tendency to the suppressing of truth, concealing the worst of crimes, and procuring impunity to their authors.

But to proceed, the lady returned on board, and as *Billy* was every day more and more enamoured she became a greater favourite; but alas! so cruel fate had ordained, the time soon came when these happy lovers were forced to part; his concern was beyond the power of words to express, but tho' he was going to be removed at a great distance from the object which his soul admired, he faithfully promised never to forget her, and that her lovely image should still remain imprinted in his heart. Madam went on shore, and the publick was reinstated in their property.

As for our beau, he was as good as his word, he grew very uneasy and was *violently running* — into despair, he had like to have died with — grief, for he spent his anxious days, and restless nights, in sobs and groans, still remembering his dear *Dulcinea*, the loss of whom he imputed to his ill fate and the resentment of some angry deity. Whom to appease, the sons of *Æsculapius* advised him to mingle plenty of mercury, and turpentine with his prayers, and as he was wholly employed in this kind of devotion, L. S—l did his duty for him, during the whole winter, even until the returning sun, that reinvigorates other insects, brought this butterfly to life again.

Tho' I don't yet intend to forget him, I will now leave him for a while, and proceed to matters of real consequence. Com. C—w—ll's squadron was now preparing to sail, and as the *E—th* was very short of complement, and as great things might undoubtedly be expected from so great, and so renowned a commander as C. L—g—n, particular care was taken, that above all ships she should be well manned; so that besides seventy stout marines, a hundred and forty choice seamen, lately returned from the *West Indies*, were ordered aboard the *E—th*, by that same *partial hand*, which had the year before, even in opposition to an order from the Ad—ty, refused Mr. A—f—n to spare him the number of seamen, which he wanted, to proceed on an expedition of the utmost consequence to the nation, and in which by means of this, and
B other

other delays, that subjected him to an infinite number of accidents, and numberless difficulties, he must certainly have failed of success, if fortune had not greatly favoured him.

Thus the *E—tb* became at once as well manned as any ship in the Navy, and in the beginning of *October* Mr. *C—w—ll* with the aforesaid Squadron sailed from *St. Helen's*, but meeting with bad weather and contrary winds in the bay of *Biscay*, he lost company with the *E—x* and *M—b—g*, and did not get the length of cape *St. Mary* till the fourteenth of *November*, on which day about two o'clock in the morning, the wind being at N.E. and he standing away E. S. E. with his reef-top sails, and foresail; L. *S—l* being the officer of the watch on board the *E—tb* saw a very large ship with three stern lights, and a top light about two miles upon her weather bow, with fourteen sail more laying to, under their top-sails to windward, and extending to about two miles upon her weather quarter. At first L. *S—l* took them for Ad. *H—d—k's* fleet, having been told by C. *L—g—n* that Ad. *H—d—k* was cruising in those Seas; but soon after the sternmost of them hoisted a light at each topmast head and fired two guns: Then that whole fleet also (as L. *S—l* imagines) mistaking Mr. *C—w—ll's* light, for Ad. *H—d—k's*, tacked and stood away from him in the N. W. quarter. As this was not an *English* signal, lights being never used at any *English* man of war's mast head at sea; and considering further, that Ad. *H—d—k* would not have run away, without

out discovering what these ships were, L. S—l immediately concluded, it was the *Spanish* fleet, went to C. L—g—n, waked him with great difficulty, and acquainted him with the imminent danger the whole squadron was in of falling into the enemy's hands; he bid L. S—l look well out, who told him, they were among the *Spanish* fleet. Then he ordered L. S—l to clear ship, who went out and gave the necessary orders, for putting the ship in a posture of defence, then returned and proposed to C. L—g—n to run up under the C—d—re's lee quarter to hail him, and acquaint him with the reasons that made him conclude it was the enemy, rather chusing this method than the usual signal, of burning false fires, and firing guns, which of course must have alarmed them. C. L—g—n gave L. S—l to answer, that he would not apply to the Com. who (he said) knew as well as he did, what he had to do.

L. S—l must confess he was at a loss what cause to impute this bad behaviour to; he could scarcely consider it as flowing from premeditated malice, and the jealousy C. L—g—n had so frequently expressed of Mr. C—w—ll; neither could he easily suppose, that he would so far forget his duty to his country, and neglect his own preservation, as to refuse making the signal, which he was directed by his INSTRUCTIONS, to make on this and such like occasions, and thereby endanger the whole squadron's falling into the hands of a superior enemy, merely to satisfy his private pique to the gentleman that commanded it. Yet

there was no medium, it must either proceed from this cause, bad as it was, or from another equally culpable, i. e. his drunkenness, and excessive stupidity. Be that as it may, 'tis most certain, he gave Mr. C—w—ll no manner of notice of seeing the enemy. At five o'Clock, Mr. C--w--ll unfortunately mistaking the *Spanish*, for the *British* fleet, let his reefs out, tacked and with the whole Squadron stood after them; at break of day on the fifteenth, the whole *Spanish* fleet was about four Miles, right in the wind's eye of him, and C. L-g-n still reaking hot with the preceding night's debauch, came out upon deck and viewing the enemy, said with a great oath, it was Ad. H--d--k; then L. W—t went forward upon the fore-castle, and having also viewed the enemy with his glass, he came running aft, to the quarter deck, and told C. L--g--n to get his letters ready, for he was certain it was Ad. H--d--k. 'Twas now in vain for L. S--l to expostulate with him, and to represent that he was running into the jaws of inevitable destruction, for he, with a false affected courage, rebuked L. S—l, saying, 'sblood what are you afraid of? make your self easy, or else I'll make you so. L. S--l replied, that he was not afraid, but he was very certain it was the *Spanish* fleet, and begged he would consider what he would do, in half an hour's time, when they would infallibly be along side of him. All this was in vain, C. L—g—n first ordered some punch to be made, the tacks to be got on board, and the top-gallant-yards across, then setting all the sail he could,

could, he stood close upon a wind for the *Spanish* fleet, and this without any signal from the Commodore, who was not above a mile from him. By this time L. S—l made him observe, that the whole *Spanish* fleet was bearing down upon him, with all the sail they could croud, and that the Commodore's helm was already a weather, and he was setting all his steering sails; Then C. L--g--n, who the moment before blustered like a bully, now turned as pale as death, and said to L. S—l, Dear sir, I believe you are in the right, for God's sake, set all the sails, and take care of the ship, so giving all over for lost, went into his cabin. Alas! 'tis to be wished C. L--g--n had been in a condition to think, or give attention to what L. S—l said at two o'clock in the morning, and had been capable of finding out, before it was too late, that what he told him was true; for had he given Com. C--w--ll the least notice, he undoubtedly would have stood on E. S. E. and the variation being to windward, he would have made that course good, and got more and more in the indraught of the streights mouth; whereas the enemy going away N. N. W. with the starboard tacks on board, had the variation to leeward, and did not make good above a N. W. course, on which the longer they stood the more they got out of the indraught. * Therefore Com. C--w--ll would have been in no further danger from them, but would have got safe to

* See the Chart at the end of this Book.

Gibraltar, and by reinforcing Ad. *H--d -k*, and enabling him to have prevented the fatal junction of those two Fleets, would likewise have prevented the invasion of *Italy*, the effusion of so much blood, and the dire calamities that have since afflicted *Europe* in general, and these kingdoms in particular.

Mean time the whole *Spanish* fleet was in full chace after Com. *C--w--ll*'s squadron, and the *W--ll--m*, C. *C—x*, deep laden with cables, cordage, and other naval Stores, became an acceptable prey to the enemy. The *Isabella*, a ship of 80 guns, bringing a fresh breeze with her, came almost within random shot of the *El—th*; about four a'clock in the afternoon she carried away her fore-top-mast-steering-sail-boom, the ship running six or seven knots. Then C. *L--g--n*, and his young Narcissus, instead of heartening and encouraging the ship's company, cry'd out it is all over with us! Lord have mercy upon us, and L. *L—g* as pale as a statue, was crying to the men upon the quarter deck, that he should lose more than any officer on board; upon this L. *S—t* went forward upon the fore-castle, on which was a set of as good seamen as any in the world, they with great alertness got down the heel of the boom, and rigged in the lee boom, so shifting it end for end, rigged it out to windward, and the sail was soon set again. The chace continued till night, when some of the *Spanish* ships being astern, almost hull to, *Don Juan de Navarro*, unwilling to separate his fleet, made the signal to leave off chace.

chace. Com. C--w--ll shewed a light, and stood away about W. S. W. C. L--g--n called all his officers in consultation, and asked L. S--l what course he thought was proper to steer; he told him, that as the Commodore had made him a signal, upon altering his course, he thought it was his duty to follow him, and the rather, because if next day they should happen to fall in with some of the *Spanish* cruizers, two fine 70 gun ships, clean and well manned as they were, might give a good account of them; whereas should they fall in with them singly they would be both taken. C. L—g—n objected, that to follow the Commodore, who was about two miles ahead, would be leading the enemy to him, and under this specious pretence, he endeavoured to conceal his dislike to Com. C--w--ll, and his desire to withdraw himself from under his command as soon as possible, and therefore contrary to his duty, he steered S. W. and S. S. W. all night, and lost company with the Commodore and convoy. Next day, the 16th, the *El—th* made cape *Blanco* upon the coast of *Barbary*, the *F--d--k* pink C. L—y having kept her company; the wind being chiefly in the N. E. quarter, she kept plying to windward. On the 23d, C. T--p--n, in the *Ro—pton* laden with naval stores, that had luckily escaped the enemy, joined her. In the evening the wind being at N. N. E. C. L--g--n stood away N. W. with the Starboard tacks on board, and ordered the ship to be kept close to; but in the middle watch the wind shifting to S. S. E. L. L—g who was the

officer upon deck, not daring to wake C. *L--g--n*, and wanting sufficient skill to know how to act upon the wind's so shifting, he therefore, instead of shaping his course with a flowing sheet, along shore, for the Streights mouth, followed literally the directions which C. *L--g--n* had given over night, when the wind was at N. N. E. so still luffing and keeping the ship to, as fast as the wind came aft, at last she came up to E. which was stemming with the land, and L. *L—g*, crouding all the sail he could, was got so near in, that at four a'clock in the morning, when L. *S—l* came upon deck, he heard the wash of the shore, and they steering directly for it, the *F--d--k* Pink and *Ro--mpton*, the two storeships in company, were so apprehensive of the danger the *El--th* was running into, that they shorten'd sail two or three miles astern. Finding the ship in this dangerous situation, L. *S—l* immediately sent for the master, and told L. *L--g* that he begged to be excused from relieving him, or taking charge of the ship, untill her course was altered, and without a moment's loss of time, they both went and waked C. *L—g—n*, and thereupon the helm was clapt a weather and the course altered seven points from E. N. E. to N. N. W. so the *El—th* rejoined the storeships, and avoided that fatal misfortune, which the least delay would have inevitably brought upon her; but as C. *L—g—n* could not forbear reprimanding L. *L—g* very severely the next day, this filled his mind with envy, and jealousy, so that such was his ingratitude, L. *S—l* became odious

to him, by being the means of his preservation.

The 24th of *November* L. S—l relieved and took charge of the watch, Cape *Spartel* bore N. E. half N. three leagues, the wind was then at S. W. and so fair for *Gibraltar*, that expecting to get there the next night, they had already bent their small bower and sheet cables, when from the mast-head they discovered the whole *Spanish* fleet to the northward, standing away to the eastward thro' the Strait's mouth. C. L—g—n kept plying under the *Barbary* shore, in hopes that the haze which commonly hangs over the land, would conceal him from the enemy.

At four o'clock they were all shut into the Streight's mouth. Next morning, the 25th, a *Dutch* man of war joined the *El—tb*; about six the Lieutenant of her came on board: L. S—l introduced him to C. L—g—n; that officer not speaking *English*, but *French*, L. S—l was interpreter between him and C. L—g—n, whom he acquainted, that fifteen days before he had sailed from *Cadiz*, and that two days before that, fifteen sail of *Spanish* men of war had sailed from the said port, and were bound to *Alicant* or *Barcelona* to take forces on board, and, in conjunction with the *French* fleet, to invade *Italy*.

Between ten and eleven o'clock on the 25th, C. L—g—n called all his officers in consultation, to consider what method of proceeding was most eligible: L. S—l was sent for out of bed, and

C.

C. *L--g--n* thought fit to put the question to him first, in the following manner, "Don't you think, Mr. *S--l*, 'tis proper for the preservation of his Majesty's ship, and the two store-ships under my protection, to go away for *Lisbon*?" L. *S--l* answered, No; and that as the wind was at S. S. W. and fair for *Gibraltar*, to which they were so near, he imagined it was his duty to join and reinforce Admiral *H--d--k* as soon as possible; who, very likely, might be obliged to remain in port for the want of those very stores and provisions which they were bringing to him. C. *L--g--n* then endeavoured to confute the opinion of L. *S--l*, saying, he did not consider, that as the whole *Spanish* fleet had chased him ten days before, and had taken one of his store-ships, from whom they had received certain intelligence of their strength, of their designs, and knew exactly every circumstance relating to them; he did not doubt but they had been for ten days last past cruising for him, and it was highly probable they would wait for him in the Streight's mouth: L. *S--l* told him, that the wind being at S. S. W. and a strong current always running to the eastward in the Streight's mouth, it was impossible they could lay there, they would be drove thro' whether they would or no; besides, with a good look-out he would see them four or five leagues off; and supposing they should attempt to hawl upon a wind and chace him, experience had shewn him ten days ago, that he could out-sail all that fleet.

To this C. *L--g--n* replied, Suppose they are
at

at an anchor under Cape *Trafalgar*; L. S--l told him, that Cape *Trafalgar* was a lee shore with the wind at S. S. W. foul ground, and it was then the depth of winter, therefore they could never think to anchor there.

Then said C. L--g--n, Suppose they are at *Ceuta*, where there is a fine harbour; L. S--l turned over *Michelot's* draught of the *Mediterranean*, and shewed C. L--g--n there was no harbour there at all but for small vessels; to this he added, that *Ceuta* was so far below the current, that if he hawled up close to *Cabreta* point, he might get into *Gibraltar* in sight, and in spite of the *Spanish* fleet; for should they weigh from *Ceuta*, the current would force them to the eastward of *Gibraltar* hill.

Then said C. L--g--n, Suppose they are at an anchor in *Tangier* Bay; L. S--l granted a possibility of their being there, but still was of opinion that C. L--g--n ought to have endeavoured to join Admiral *H--d--k*; and L. S--l observed, that history both antient and modern, abounds in instances of Generals most famous for prudence and good conduct, that have always attempted to relieve their friends, and throw succours into garrisons closely besieged, notwithstanding such enterprizes were attended with the greatest dangers and difficulties; but as it was fine settled weather, L. S--l told him, that if he thought proper to anchor in St. *Jeremy's* bay, or ply off and on, and lend him the barge, he would row so far round Cape *Spartel* as to bring *Tangier* bay open, and in a few hours he would
return,

return, and bring him certain intelligence whether the *Spanish* fleet was there or no: C. L--g--n said he would not let him go, that there was too much danger both of the boat and men; L. S--l told him he would find men enough willing to go with him, and would take none but volunteers, and therefore if he thought proper to allow him to go, let the danger be to themselves; but he still refused.

Then he put the question to the rest of the officers, who, thro' a slavish complaisance, and following the example of *Billy* the favourite, were all, except the first Lieutenant, of opinion that it was better to go for *Lisbon*, without giving any reasons why.

Then C. L--g--n turning to L. S--l said, As you have heard the rest of the officers, what is your opinion now? L. S--l knew very well, that as C. L--g--n was for many reasons desirous to go to *Lisbon*, he would go let his opinion be what it would; but as he was conscious that he was in so doing acting in direct opposition to his orders, the only thing which he wanted, was the sanction of all his officers, in order, that in case he should afterwards be called to an account, he might disculpate himself, by throwing the blame upon them all, as other prudent commanders have done. Therefore L. S--l told him, he had not given him his opinion rashly, it had been after mature consideration of circumstances, and could not depart from what he had said; and was still of the same mind, that he ought to join Admiral H--d--k. When C. L--g--n found him

so strictly abiding by that opinion, which he thought was most conducive to publick good, and his Majesty's service, he could no longer conceal his wrath, and in great anger said, *Then, Sir, you oppose me.* L. S--l told him, whenever he, as his Captain, laid his commands upon him, implicit obedience was his province; but when he thought proper to ask his opinion, as he was undoubtedly accountable for it, he was to follow the dictates of reason, and his judgment was to be his only guide; and begged leave to assure him, that what he had said, was so far from flowing from a spirit of opposition, that he was very sensible his opinion was not binding to him, that he was at full liberty to approve or disapprove it, and whatever measures he would enter into, whatever orders he would lay him under, he gave him his word and honour, he would use his utmost endeavours to put them in execution, the same as if it was his own scheme, so took his leave.

It is certain, that a complication of covetousness and cowardice, were the true motives that induced C. L--g--n to go to *Lisbon* with a foul wind, instead of going with a fair one to *Gibraltar*; at the former place he had a prospect of getting an advantageous freight, at the latter honour indeed, but hard blows and little money was to be expected; had he had the least regard for the service of his country, and been in the least inclined to do his duty, he never would have started so many trifling objections, neither would he have affected to shew so much regard for L.

S—l's safety, especially as his own success in the execution of his orders, depended absolutely upon the intelligence which *L. S—l* offered to procure him, notwithstanding the danger that might attend it.

Altho' *C. L--g--n*'s sinister views did not permit him to accept of *L. S—l*'s offer, yet it gives him great pleasure when he reflects and considers, that he was ready and desirous to serve his country, and that the manner in which he proposed to do it, receives a tacit approbation, in being exactly similar to the practice of other sea-officers, and especially of Lord *Anson*, who, when he was off the harbour of *Acapulco*, upon the coast of *Mexico*, a hostile and unknown shore, did not hesitate to send out even six-oar boats for several weeks and many leagues distance, to reconnoitre the enemy, as often as he judged it necessary and conducive to the honour and interest of his country.

But as *C. L--g--n* failed of getting the concurrence of all his officers to go to *Lisbon*, his guilty conscience whispered him, that he ought to have recourse to some other stratagem, in order to supply that deficiency; therefore about noon, the coxswain of the barge was sent in the six-oar boat on board the *Ro--mpton*, to scrub her between wind and water; about three in the afternoon the boat returned, the coxswain pretended that out of that ship's main-top he had seen three sail of *Spanish* men of war in chace of the *El--tb*.

I imagine the falshood of this report will sufficiently

ficiently appear from the following circumstances; several people went up to the *El--th*'s masts-heads, which were considerably higher than the merchant-man's main-top, without seeing any thing at all, neither were the merchant-men above a mile within the *El--th*.

Upon this bare chimerical supposition C. *L--g--n* stood that evening away for *Lisbon*. That very ship the *R--mpton*, from whose main-top the coxswain pretended he had seen three sail of *Spanish* men of war, was so far from believing such a notorious falsity, or being under an apprehension of danger, that she altered her course, and would have gone to *Gibraltar* without the *El--th*, had not C. *L--g--n* fired at her, and forced her to bear down to him.

About seven the *F--d--k* pink, C. *L--y* came up under the *El--th*'s lee quarter, hailed her, and asked C. *L--g--n*'s leave to go to *Gibraltar* without him; and upon C. *L--g--n*'s asking him if he had not seen three sail of *Spanish* men of war in chace of him? C. *L--y* replied, No, Sir, there is nothing in sight, and it will be time enough to run away when we see an enemy, I want to go to *Gibraltar*, and so does the other ship; but they were both obliged to follow the *El--th*.

On the 26th the *El--th* met a hard gale of wind still at S. S. W. and the sea running very high she carried away her fore-mast: Notwithstanding the ship was so distressed, and the wind was still fair for *Gibraltar*, C. *L--g--n* obstinately pursued his favourite scheme of going for *Lisbon*, tho' he was uncertain whether he should be able

to weather Cape St. *Vincent*, which had he not done, the ship, and probably every soul on board, must have perished that night. He was so sensible and apprehensive of the danger, to which his own folly exposed him, that he remained drinking upon deck till twelve o'clock at night, but discouraging every body about him, and crying out continually, Lord have mercy upon us! and as his fears grew stronger and stronger upon him, he began to commiserate the hardships which the poor seamen underwent, and made a vow, that if it pleased God to extricate him out of this difficulty, he himself would apply, and use all his interest, to have their wages raised, and that particular care for the future should be taken, that their provisions should be sent on board and delivered to them full weight. Tho' L. S--l could not forbear laughing within himself, yet he was so shocked at this unmanly and unofficer-like behaviour, that at last he prevailed upon him to go to bed, assuring him that he would not quit the deck, nor be wanting in taking care of the ship.

On the 28th the sea running yet very high, C. L—g—n ordered the main-top-mast to be cut away to ease the main-mast, the head of the main-top-mast in falling struck the ship's side under the starboard main channel, and stove in one of the lower deck ports, they had then indeed a very gloomy prospect, the fore-mast and main-top-mast being gone, several of their main-shrouds being broke, the main-yard lowered a portland, and the ship for want of sail, alternately

nately rolling each gunnel under water, a prodigious quantity of which came in at the port, insomuch that the chests were swimming between decks, and the water with hideous noise running down the hold at every hatchway; however, L. S—l went down between decks with the carpenters, and by entirely filling the cell of the port with oackam and nailing boards over it, then fixing stanchions between them and the combings of the hatchways, they kept the ship from foundering.

On the 5th of *December* the *El—th* anchored in the bay of *Wares*, at the entrance of the *Tagus*, when C. L—g—n immediately wrote to the L—s of the Ad—ty, and thinking it impossible that L. S—l should ever come to the knowledge of his letter, he misrepresented him as an accomplice of his crimes; telling their Lordships, that he had bore away from the Streight's mouth for *Lisbon*, by the general advice and consent of *all his officers*.

Next day, the 6th of *October*, the *El—th* anchored in *Lisbon* river, where she found the *B—d*, *E—x*, and the rest of the convoy, who all failed for *Gibraltar* the 20th, after C. L—y, and C. T—p—n had protested against C. L—g—n, for forcing them away from the Streight's mouth into *Lisbon*, and for which demurrage their owners have proceeded in Ch—ry against the Commissioners of the Victualling.

C. L—g—n in the *El—th* remained at *Lisbon* sixteen weeks, notwithstanding Admiral H—d—k had sent his orders, for every ship in *Lisbon* river

to join him in the *Mediterranean*, as soon as possible.

During her stay at *Lisbon*, if it was proper, it would still be impossible, to describe the scandalous scene, which, to the disgrace of the *English* nation, C. *L—g—n* exhibited in the face of that Metropolis, and in presence of several men of war of other nations, that came in soon after ; there was neither appearance of order nor discipline on board, the seamen without restraint went on shore, and returned when they pleased, without centinels upon poop or fore-castle, as is usual on board of others of his Majesty's ships of war, neither were so much as the articles of war read, insomuch that upwards of forty seamen deserted, to the great weakening of the ship, and prejudice to his Majesty's service.

Neither could it be expected, as things were circumstanced, that C. *L—g—n* would use any means to put a stop to this desertion ; the more men run away, the more provisions were saved ; and so far from keeping a clerk, and being himself, as it was his duty, a check upon his Purser's and other officers accounts, he placed his whole confidence in, and even entrusted the keeping his general muster-book to Mr. *J—n Sb—rd*, Deputy Purser, a most daring, impudent fellow, who in fact was Captain of the ship, Mr. *L—g—n* having only the name. As it was not this man's interest to take notice of the absence of any man, therefore, to the great prejudice of his Majesty, these deserters were still continued upon

upon the ship's books, and not made run till a few days before the *El—th* sailed from *Lisbon*.

At the arrival of the *El—th* in that port, a seaman who was a native of one of the *Turkish* islands in the *Adriatick* sea, run away from her, and associated himself with a gang of banditti, and for three months he was armed with two pair of pistols and a huge scimitar, and publicly walked the streets of *Lisbon*, in contempt and defiance of every officer of that ship, who could not presume to take him without leave from the court of *Portugal*; at last he quarrelled with his companions, who slew him and put an end to his profligate life; nevertheless, 'tis said, C. *L—g—n* bore this man upon his ship's books, not only after his desertion, but even a long time after his death, and that on the 26th of *March*, 1742, which was two days before the *El—th* sailed from *Lisbon*, this very man was discharged, and his ticket made out to that day, to the great prejudice of his Majesty, who might possibly be thereby defrauded both of this man's wages and provisions; it cannot be said who might have the benefit of the former, but as to the latter it is obvious enough.

It is to be hoped that crimes of this nature, so injurious to a Nation already overwhelmed with a prodigious debt, and groaning under the intollerable burthen of heavy taxes, will not escape with impunity, but that they who are intrusted with the superintendence of naval affairs, will at some proper time enquire into these de-

predations, and bring this plunderer of his C—y to condign punishment.

Neither was this the only point he was deficient in, for altho' by the articles of war, as well as his INSTRUCTIONS, he is enjoined not only to punish vice, but to shew a good example to his ship's company, and to cause divine service to be duly performed, yet he would not suffer it, but had always some evasion.

This violation of the laws, breach of discipline, and scandalous omission of divine worship, is not only highly blameable, when considered in a religious light, but also in a political sense. The Christian system contains the best moral rules, it teaches obedience to superiors, and dissuades mankind from acts of violence and mutiny, and those excesses which men of loose principles are apt to run into; and as the knowledge of God, and the hopes of a future existence in a happier state, are certainly considerations most interesting to all men, and are the greatest and surest incentives to intrepidity, they ought more particularly to be carefully inculcated in the minds of seamen; for the Atheist grows pale at the appearance of danger, he shudders at the sight of approaching death, and nothing can be more terrible to him than the thoughts of dissolution; then in despair he invokes that God, whom he had before impiously contemned: But whenever his duty calls upon him to exert himself in support and defence of his King and Country, (his soul shrinks back within itself, and the many sophistical arts which he has
recourse

recourse to, to elude the stroke of fate, and put off the dreadful moment, loudly proclaim the despicable coward. Whereas the Christian, who puts his confidence in the Almighty, makes his exit out of this world with calmness and resignation, he bravely encounters the greatest perils, and from a consciousness of his own virtue, he supports his hopes, and with a mind serene and undisturbed, he acts with prudence and resolution amidst the horrors and the loudest din of war.

But to return ; there was at *Lisbon* a person who had lately been appointed Surgeon of the Hospital for *British* seamen in that port, a man who makes publick and open profession of the *Romish* religion, and who, I have been since informed, had *Dogan*, the *Irish* priest, a long time with him in his house ; *Dogan* who has been considered as one of his Majesty's most dangerous enemies, and who, by his secret and pernicious practices, tending to subvert the laws and constitutions of these kingdoms, has long endeavoured to poison and alienate the minds and affections of his Majesty's good subjects, and to enlist many of them into the service of a foreign invader and Pretender to his Majesty's crown. L. S—l thought it his duty to acquaint C. L—g—n, how much this man was by law disqualified from any publick employment ; but C. L—g—n asked him what signified his religion, provided he was a good Surgeon ? and soon after he made him Purser (as well as Surgeon) of the said hospital ; it is obvious to every one, how much a step of this kind is

inconsistent with the happy establishment of these kingdoms.

As L. S—l was already become an eye-fore to C. L—g—n and Mr. Sb—rd, his prime minister, by refusing his assent to his coming away to *Lisbon* from the Streight's mouth, they very justly suspected that he had the utmost abhorrence of their proceedings; therefore as his presence laid them under some restraint, nothing less than his ruin was resolved upon. In order to effect which, a junto on whom they could depend was previously to be formed, therefore Sb—rd applied to the boatswain of the *El—th*, and offered to give him the sum of one hundred pounds, if he would but join with the said Sb—rd and others in a complaint to the Commander in chief of the fleet in order to break L. S—l; but the boatswain looking upon that design as dishonest and malicious, he not only refused to be aiding and assisting in putting it in execution, but immediately acquainted L. S—l therewith. He considered this as an act of direct mutiny, that a man who was properly but the Purser's servant, should presume by secret machinations to stir up disturbances, and seditiously raise clamours against him, who was the third person in command in that ship; therefore he thought himself in duty bound, as well for the sake of discipline and preserving the internal peace of the ship, as for his own preservation, to bring this man to condign punishment; in order to which he sent for him, and taxed him with his crime, which he could not deny; and

and as L. S—l was then commanding officer, he ordered *Sb—rd* in irons, where he remained till next day, when C. L—g—n, who for good reasons did not care to have this affair enquired into, prevailed upon L. S—l to forgive *Sb—rd*; so on his asking pardon he was set at liberty. On the 8th of *January* (and not till then) the new fore-mast being near finished, C. L—g—n began to think of rigging the main-mast, and as it required to be stayed a little further forward, the viol-block was unlash'd, in order to knock the wedges out of the partners, when the mast appeared to be sprung clear thro'; he then wrote to the Lords of the Admiralty, that at his arrival into *Lisbon* harbour, he had caused his masts to be searched and examined into very narrowly, but had not been able to discover the defect sooner; and altho' it required as much time to make a new main-mast, as had been already taken in making a new fore-mast, he was so unmindful of his duty, so regardless of publick service, that he did not get the main-mast out till the 30th of *January*, neither was the new main-mast begun till the 2d of *February*. 'Tis observable, that had he really caused his masts to be looked into, as every cautious seaman ought to do when he arrives in port, after having sustained the violence of storms and so much bad weather as he had done, he would have found that the mast, from the head down to the lower partners was still 83 feet long, and but five feet shorter than the fore-mast, and by scarfing a heel to the main-mast, it would have made a

better foremast than any he could get there, and at the same time the sticks that made a new foremast, would have made a new main-mast, and not only have saved a considerable expence to the government, but the ship would have been out at sea and fit for service in a fourth part of the time that she remained in that port. But as Sir *Y—b Ac—th*, the S—r of the N—y, has since objected to the extravagant price charged for those masts, *Sb—rd* has given another specimen of his ingenuity; for in order to extricate *C. L—g—n*, by surprizing the S—r into an approbation of his accounts, he has taken an advantage of *Com. C—w—ll*'s death, and has certified under his hand that it was he that bought them; whereas *Mr. C—w—ll* sailed from *Lisbon* the 20th of *December*, and it was not so much as known that the main-mast was sprung and another wanted, till the 8th of *January* following.

It is evident and plain *C. L—g—n* never intended to go out sooner, and that these pretended accidents were only so many subterfuges to excuse and gloss over his neglect of Duty; for it happened that during the bad weather, in his passage out of *England*, the brick work of the coppers was so loosened, that it was tumbling down, and 'tis well known, that that ship could not go to sea before it was repaired, nevertheless it was not meddled with, till the ninth of *February*, inso-much that his royal higness *Don Francisco* prince of *Portugal* was so provoked at his dilatoriness, and profligate behaviour, that he sent him word,
that

that if he was one of his brother's Captains, he would have him hanged.

On the eighth of *March* C. R. M—t—n in his Majesty's ship the *As—ance*, sailed for *England* with a convoy of merchantmen and anchored in the bay of *Wares*, and as L. S—l had had certain information, that many of the *El—th*'s best Seamen were gone on board such and such ships, he acquainted C. L—g—n therewith, and offered (if he pleased to let him have the boats) to go down to the bay of *Wares* and bring his men back again, but he refused to let him go, under the ridiculous pretence, that he had no right to search ships that were under the command of another gentleman. Nevertheless the week after the *As—ce* was sailed, lest it should be said that C. L—g—n had lost so many seamen, without the least endeavour to get them again, he sent Mr. L—y third L. of the *E—th* down to *Belle-Isle* to search for his men, on board of some outward bound *Dutch* merchantmen, whereas there was not the least probability of finding any, so Mr. L—y returned the next day without success; but he being in an ill state of health the cold which he caught that night increased his disorder, insomuch that he died on the 18th of *March*, at four o'clock in the morning.

The carpenter of the *E—th* being on shore, C. L—g—n ordered *W—m Br—thw—t* his mate to make a coffin, *Br—thw—t* being a drunken fellow neglected it, and in the evening C. L—g—n finding his orders disobey'd, not only brought him to the gang-way and gave him a dozen

dozen lashes, but made him go to work directly. L. S—l has reason to remember this affair very particularly, for soon after C. L—g—n insinuated that he was extremely sorry he had punished this fellow with so much severity, and most falsely alledging, he would not have done it of his own accord, but that it was done entirely at the instigation of L. S—l: This fellow without considering, that L. S—l had no influence at all over C. L—g—n, vowed revenge against him, and so late as the 4th of *May*, 1747, upwards of five years after, he meeting L. S—l in *Deptford* yard, attacked him with a broom stick, and foaming with rage, pursued him, swearing with bitter oaths, and execrations, that he would have his life. L. S—l verily believes he would have dashed his brains out, if by drawing his sword and retreating, he had not kept him at arms length, and thereby secured himself from his fury, which he had the good luck to effect, without doing him any harm. However by the interposition of C. C—ton, Br—th—t came up to *Will's* coffee-house, and upon his publick, and written confession and submission, L. S—l forgave him.

But to resume the thread of my discourse, the coffin being made, C. L—g—n by his INSTRUCTIONS ought to have buried that gentleman decently, and fired three volleys of small arms, instead of that he sent the corps at ten a'clock at night, to be flung in a hole dug in the sand at high water mark, but a number of *Portuguese* coming along shore, the people were frightened and took
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the corps into the boat again, and rowing down with the stream they attempted to sink it, but as it floated they brought it again on board the *E—th*, where the coffin was opened, and weight added to it, then they went away again, and at two a'clock in the morning they sent it to the bottom. Thus it was that C. *L—g—n* comply'd with his INSTRUCTIONS! this was the treatment this deceased officer received! to the great scandal of those that survived, as well as diminution of the respect due from a ship's company to their officers!

At length after sixteen weeks unnecessary stay in that port, to do what any seaman might have done in one Month, C. *L—g—n* took in money to pay the garrisons of *Gibraltar* and *Mahone*, and got that fine ship to sea, the 28th of *March* 1742, and anchored in *Gibraltar* bay the 31st, where he lay until the 11th of *April*, notwithstanding the wind was mostly westerly, and his ship was so much wanted in the fleet. Here he continued his disorderly way of life, and at midnight when the people were asleep, in one of his drunken fits, he ordered one of his ship's company that waited upon him to be brought to the gang-way, and because the boatswain's mate did not whip this man to his liking, the boatswain's mate was whipt himself.

On the 13th of *April* in the way to *Mahone*, the *El—th* was got the length of *Roquetta* point, when discovering three sail at anchor under the land, she stood in under *French* colours; the first was a pollacka that showed the

same colours ; C. *L—g—n* did not examine her, tho' he passed close under her stern, by which means she escaped and went to *Lisbon*, where she unloaded a *Spanish* cargo which she had then on board ; the other two were, the one a settee, the other a *barca-longa*, and both *Spanish* colours flying ; the *El—th* run in so near that her shot flew over them, and raised a cloud of dust upon the hills, insomuch that they forsook their vessels, and betaking themselves to their boats they went on shore, the anchor was ready to let go, and a hawser was run out of the gun-room port ready to clap a spring upon her cable, in order to bring the *El—th*'s broadside to bear upon a little fort that had eight or ten guns, in case they had attempted to fire upon her. L. *S—l* was ready to go and cut out these vessels, but C. *L—g—n* would not suffer him, he ordered the helm a weather and wore ship, thereby gave the enemy an opportunity to come again on board their forsaken vessels. They slipped their cables and ran away to leeward under the cannon of *Almeria*, so he lost them.

This caused a general murmur among the ship's company, who could not forbear giving C. *L—g—n* such epithets, in his own hearing, as are never given to a man of conduct or spirit.

On the 25th the *El—th* anchored in *Mahone* harbour, and found that brave and gallant officer Ad. *H—d—k*, in a very different condition from that in which he possibly might have been, if C. *L—g—n*, when he first discovered enemy had done his duty like a seaman and
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an officer, and given timely notice to Com. C—w—ll, who with his squadron would have continued his course for *Gibraltar*, and enabled that Admiral to have attacked the *Spanish* fleet as it passed thro' the Streight's mouth. On the contrary Adm. H--d--k was no longer himself, he was fallen into an unhappy state of mind, merely from an apprehension that the censorious world would think he had not done his duty; however, he gave C. L—g—n orders, and on the 30th of *April* the *El—th* sailed from *Mabone*. On the 6th of *May* she joined and saluted Com. L--t--k upon the coast of *Provence*; as C. L—g—n had lately received his freight for the money he had brought from *Lisbon*, (to be sure) the *El—th*'s joining the fleet was a very *seasonable reinforcement* to Mr. L—t—k, so that C. L—g—n immediately became his principal favourite.

On the 14th of *May* the *El--th* anchored with the fleet in *Villa Franca*, where she was heeled and scrubbed, and having compleated her water, on the 23d in the morning she was towed out by the boats of the fleet; she no sooner came out into the sea, but C. L—g—n made the signal to speak with Com. T—ll—d, and succeeded him in the command of a detached squadron. C. L—g—n being thus promoted by M. L—t—k to this post of high distinction, little thought that ever he should be called to an account; in all probability his past misbehaviour was to have for ever remained buried in oblivion; happy had it been for L. S—/ had it happened so! but alas! behold the uncertainty of human affairs, how short was the

the duration of his ill-grounded security? how soon was his happiness interrupted? Three days after, Ad. *M—ws* arrived and took upon him the chief command of the fleet. C. *L—g—n* was thunder-struck, and from a mighty Commadore he became a prisoner on board his own ship, and was ordered to prepare for his trial. The Admiral proceeded to *Villa Franca*, where on the 1st of *June*, 1742, he held a court martial by order of the Ad—ty, to enquire into C. *L—g—n*'s conduct, at which L. *S—l* appeared as an evidence, in obedience to Ad—l *M—w*'s commands, signified to him by one of his officers.

Here it was that an authentick copy of the letter, which C. *L—g—n* had wrote in *December* last from the bay of *Wares* to the L—s of the Ad—ty, involving L. *S—l* in his own guilt, was publicly read; then it was that this mystery of iniquity, which he thought would for ever have remained an impenetrable secret, was revealed. L. *S—l* told C. *L—g—n* that he might have said, he had stood away for *Lisbon* by the advice of the major part of his officers, but that as those officers who had advised him to that wrong step, were answerable for it to their King and Country, and might perhaps receive an adequate punishment, it was doing him an injury to include him in that number, since he had used all the arguments he could to persuade him to the

contrary, and therefore he prayed

* C. *L—g—n*'s
first recantation.

C. *L—g—n* would clear that point up, which he did*, by telling the

Admiral in open court, That he had wrote that
letter

letter in a hurry, and that it was a mistake as far as it related to L. S—l, for he had been of a contrary opinion to the rest of the officers.

After they were all examined, then L. S—l was called in, and an oath was administer'd to him to speak the truth to such questions as should be asked him, which he did without favour or partiality ; but as C. L—g—n had altered and falsified his ship's log-book, and had a fortnight after caused it to be inserted and interlined, that on the 25th of *November* 1741, three sail of *Spanish* men of war had chased him off Cape *Spartel*, and as L. S—l had not taken notice of it in his journal, he was questioned about it, and he declared that the reason why he had not done it, was, because he verily believed no such thing ever happened.

Upon this Ad. M—ws told C. L—g—n, that it was very surprizing that he mentioned three sail of *Spanish* men of war's chasing him without any circumstances whatsoever, and asked him whether he had seen them ? C. L—g—n answered in the negative ; and whether any body in his ship had seen them ? he still answered, No ; but told the Admiral, that if he pleased to hear him, there was his coxswain who had seen them out of a merchant-man's main-top, and would inform him. The Admiral, rejecting this sort of evidence, further asked C. L—g—n what time these *Spanish* men of war began to chase him ? he answered at one o'clock in the afternoon ; how long they had continued in chase of him ? he answered, Night had parted them ;
how

how near they had come to him? he answered, within a league; how far were his merchantmen from him? answered about two miles; how did they bear from him? answered they were between him and the enemy; here the Admiral stopt him and told him, he had brought the enemy within one mile of his ships, and *yet did not see them!*

From these inconsistencies, these contradictory answers, so repugnant to common sense, it appeared evidently L. S—l was in the right; and the Admiral resuming his interrogatories asked him to inform the Court of what passed between C. L—g—n and him at the consultation off Cape *Spartel*, and what were his reasons for going away for *Lisbon*. As L. S—l was relating matter of fact, notwithstanding that he was in Court, and might have expected the Admiral's protection, some of its members, whose subsequent actions have brought upon them the just but shameful censure they deserve, plainly shewed by their partial behaviour, that truth was not what they sought after, nor what they desired to hear.

C. L—g—n finding himself so screened and supported, undertook to stifle the truth by browbeating and baffling L. S—l, and to suppress his evidence by accusing him of perjury, saying, there was not the tenth part of what he said was true. This injurious attempt of blasting his reputation gave him exquisite pain, he complained of it loudly, and since C. L—g—n denied but in part, he prayed the Admiral's indulgence in asking

asking C. L—g—n to distinguish what he owned *to be true*, from that which he pretended *was not so*. But he did not dare to come to particulars, neither would the Admiral do L. S—l the justice to ask this question, notwithstanding the hon. C. J—n F—bes proposed it to him.

Nevertheless L. S—l's deposition being supported with undeniable circumstances, it appeared evidently he had paid a just regard to strict truth, and the Admiral rebuked C. L—g—n. Yet he was only mulcted all the pay he had then due in the *El--th*, contrary to the Admiral's opinion, who was very sensible that this punishment bore no manner of proportion with his crimes, but was for dismissing him from his Majesty's service; however he was over-ruled and obliged to conform to the majority; nevertheless he could not forbear saying soon after, That if the C—ns intended to proceed in that partial manner 'twas needless to hold court martials at all, and that he should be obliged to represent it.

While the members of the Court were in private considering the evidence, beau *Fribble*, who had advised C. L—g—n to go to *Lisbon*, being dashed and confounded, came to L. S—l upon the *N-re's* middle gun-deck, and fetching a deep sigh told him, that he believed not only C. L—g—n would be broke and shamefully dismissed from his Majesty's service, but that he was afraid lest he himself, and those that had advised C. L—g—n to act in opposition to his orders, would meet the same fate. L. S—l persuaded him to make himself easy, that as he was not under trial he could not be broke; but that indeed if the Admiral should afterwards call them to a court martial, he could not take

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upon

upon himself to say, whether they might not then be all declared incapable of ever serving in his Majesty's fleet.

Some time after L. S—/ went and asked C. L—g—n's leave to go on board the Admiral to resign his commission, since he could no longer serve with honour under a man, who had endeavoured to load him with indelible infamy; he began to palliate what he could not deny, and artfully thought to reconcile L. S—/ to his own disgrace, saying he granted what L. S—/ had deposed was true, but then it had not happened exactly at the time of the consultation. L. S—/ replied he was very certain it had, but supposing he had mistaken a quarter of an hour in point of time, could that be a reason to lay him under the blackest imputation, to fix and entail infamy upon him by accusing him of perjury, in a general, malicious, and unlimited manner, when at the same time his own conscience rebelled against him, and he owned L. S—/ had spoke nothing but the truth and matter of fact? L. S—/ asked him further, if he would own it to the Admiral; he consented, went with him on board the Admiral, recanted and confessed, that the ** C. L—g—n's second recantation.* hurry and confusion which he was in*, together with the apprehensions of a *severer punishment*, had induced him to cast so unjust and groundless a reflection upon L. S—/.

As there were then but three ships with the Admiral, he promised L. S—/ he would set that affair to rights with the Captains of the fleet as soon as he should come to *Hieres* bay, but he never did him that justice; however, the odium of this

this most shameful accusation recoiling back upon its author, C. L—g—n became the object of L. S—l's compassion, instead of his resentment; but how great was his surprize! when after some months were elapsed, and C. L—g—n thought the storm was over, and he himself was secure, L. S—l then found that under the insidious appearances of friendship, C. L—g—n had concealed the bitterest resentment; that the truth which he had related, in compliance with his duty to his King and Country, when required by the C—der in C—f so to do, was again (notwithstanding his recantation) stiled falshood, and himself branded by C. L—g—n, the *brave* C. Dick. N—s, and others such his agents, with the most odious epithets, as if he had officiously acted the part of a most hateful informer; he was used excessively ill on board, and unlike an officer, he was to fall unpitied, and the minds of men were to be prepared to expect his destruction, to which slanders, whispers, and defamation were to be the preludes.

*Fama malum, quo non aliud velocius ullum
Mobilitate viget, viresque acquirit eundo.*

A strict and diligent discharge of his duty, screened him from C. L—g—n's malice, and rendered all his impotent schemes unsuccessful.

That regular order of time which I have endeavoured to observe, requires me to relate in this place, a fact which happened on board the *El—tb* in *Mabone* harbour in *July*, 1742, not only because it bears the face of tyranny and oppression, but also because it carries with it a proof, even a demon-

stration, of what has been already said of C. L--g--n when at *Lisbon*.

There was on board the *El—th* a quantity of *Irish* beef, in large pieces of twenty or thirty pounds, the usual method was, that one of the mates should see it publickly weighed upon deck, in order to its being cut into four-pound pieces, according to the known custom in his Majesty's navy. L. S—l being the officer of the watch, several seamen came upon the quarter deck and complained to him, that each hundred weight of beef had been cut into nine pieces more than it ought to have been; he asked them if they were very sure of what they said, and told them they must expect to be punished, if they made a frivolous and groundless complaint; but as they all insisted upon the truth of their assertion, L. S—l could not let such a thing remain upon himself, and as he thought he was in honour and duty bound to use all the means in his power, in order to detect and discountenance the author of such a fraud, which affected the whole ship's company, he acquainted C. L--g--n with it. He sent for *Sb—rd*, the deputy purser, who could not deny the truth of what the seamen said, but by way of extenuation he pretended, that the preceding beef day he had made a mistake of a like quantity to his own wrong, and therefore he had hit upon this expedient to re-imburse himself. C. L--g--n then forgetting the vow he had made, when on the 26th of *November* last the *El—th* was in distress*, began to swear at the seamen, called them a parcel of hungry, mutinous dogs, and had a great mind to whip them; upon which denial of justice, the men, exasperated

* *Vide* page 24. above.

exasperated with such oppression and heavy treatment, and fearing still to meet with worse, several of them deserted, and on the 7th of *August*, 1742, they went to *Gibraltar* in merchant-men, under convoy of C. C—ley, in his Majesty's ship *Lan—ster*.

From these, and such acts of oppression, flows that extreme aversion, which seamen commonly shew to the Royal Navy, and the service of their country; instead of being treated with severity, injustice, and being defrauded of what their royal and bountiful master allows them, had they been treated only with common justice and humanity, whenever any threatened invasions, or attempts from our encroaching neighbours, did suddenly call upon the nation to exert its utmost naval strength, then the brave seamen, making their country's cause their own, would as readily and as willingly resort to the fleet, as they would assist in extinguishing the flames if their next neighbour's house was on fire, had they not had too much cause to consider some of his Majesty's ships as jails, and their condition when on board, had not been made so much to resemble that of slaves; whenever it becomes necessary for the nation to engage in war, there would be no occasion for pro—tions to recall these brave men from distant countries, and the service of foreign Princes, nor the immense expence of employing a hundred and fifty tenders for two or three years, in forcing these men into his Majesty's service, who would voluntarily have come into it, had they not been rendered averse to it by such usage. Then the enemy would not have had the opportunity, while our seamen were collecting together at the beginning of every war, to come out at sea with a superior

strength, half ruin the trade of the kingdom, and reduce many a family from affluence and plenty to a miserable state of indigence, before a fleet could be in a condition to oppose them, as is, and has always been the case in the beginning of every naval war. The fleet would then have been easily and speedily manned, without the violent and illegal method of pressing; a method absolutely repugnant to the liberty of the subject, and abhorred by the constitution of the kingdom; a method so frequently attended with the effusion of the blood of our own seamen, who have often rather chose to lose their lives, than to suffer themselves at the return of a long voyage to be dragged away from their families, and deprived of the comforts of life, which every one of his Majesty's subjects but themselves enjoy.

A method which reduces the officer, who is so unfortunate as to be employed in this disagreeable, because illegal, service to a most fatal dilemma; let him act ever so cautiously he is always in danger, inevitable destruction seems to attend his steps:

Incidit in Scyllam, cupiens vitare Charybdim.

On the one side, if he does not boldly invade the liberties of his country, by exerting himself in the execution of orders repugnant to its laws, military discipline inflicts upon him a severe punishment; on the other, if he does do it, he is exposed to the severity of the laws of the land, for they have power to punish, without exception, every one, who, under any pretence whatsoever, dares to resist their authority, or to act contrary to their direction:

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They afford no sort of remedy to the officer who happens to be slain in attempting to execute these unlawful commands; the man who has brought such an officer to an immature death, and plunged his wife, and perhaps a numerous family, into an abyss of want and misery, is acquitted, because he has only done that which he had a right to do, he has only defended his liberty: But, alas! how different is the case, if in the scuffle this officer happens to kill any one? in vain does he alledge that he has done it in the discharge of his duty, in vain does he plead the orders from the L--d H--h Ad--l, the law considers him as a murderer, and condemns him to suffer as such; in these deplorable circumstances happy is he, if he can obtain his Majesty's most gracious pardon, and owe that life to the favour of a dispensing power, which he before held from the God of Nature; a very different tenure indeed!

So much for seamen in general, but to return to C. L—g—n; notwithstanding his behaviour was highly condemnable and such as would certainly, tho' not have justified, yet greatly extenuated the crime, his whole ship's company would have been guilty of, if they had to a man mutinied and deserted; yet he swore if there was a possibility of taking those that had done so, he would hang them all, and in order thereunto he wrote to the hon. C. J—n F—bes, Commander of his Majesty's ship G—sey, then in *Mahone* road, describing these deserters, and desiring him, that as soon as he should arrive at *Gibraltar* he would use his endeavours to take them; accordingly one of them was brought back to the fleet in irons.

On the 29th of *September* he was tried at a court

martial for desertion, and the prisoner being duly convicted received sentence of death; but he pleading that he never heard the Articles of War read, and being unacquainted with the law by virtue of which he was to lose his life, and C. L—g—n not being able to make it appear, that he had ever caused the Articles of War to be read during the space of fourteen months in which he had commanded the *El—th*, notwithstanding he is enjoined by his INSTRUCTIONS to do it every month; the Admiral taking this into consideration, pardoned the prisoner, and gave a general and publick exhortation to all the Captains, to cause this necessary part of discipline to be better observed for the future.

But as the *El—th*'s general muster-book was produced at the court-martial, by way of evidence against the prisoner, it was observed, that altho' he had deserted the first day of *August*, and sailed from *Mabone* the 7th, yet C. L—g—n, according to his usual custom, had kept this man upon his books, and not made him run till the 16th, when he himself was going to sea.

In order to render this narrative as clear and intelligible as possible, I must beg leave to make the following digression, and seemingly leave the thread of this discourse, to set forth in its true light the character of a man, who was not only a disgrace to the sea-service, but to his own species also; sorry at the same time that the vindication of L. S—I's reputation, calls upon me to expose this man's crimes, which otherwise common charity and good nature would induce me to conceal.

In *September*, 1742, L. J—n N—ll changed out of the *R—I O—k* with L. W—t into the
El—th,

El—th, where he became third, Mr. *S—l* was second L. In the year 1733, the same *N—ll* was mate, and *S—l* was midshipman on board the *Bl—b—m*, when Adm. *Cavendish* and C. *Griffin* turned *N—ll* out of the ship, for drunkenness and neglect of duty, from which time he was not employed but became a vagrant in *London*, till the year 1739, when necessity enforcing his inclination, he associated himself with a gang of rogues, who by fraud and deceit extorted fifty guineas from Mr. *W—l—n*, under pretence of selling and transferring to him a deputation of Collector of the Customs, in, or near the port of *Milford* in *Wales*, five guineas more were spent in treating this *honest* set of people. Mr. *W—l—n*, jun. went down to *Wales*, and finding no such employment he returned to *London*, and caused *N—ll* to be indicted by the grand jury of *Middlesex*, and at the next quarter sessions the bill was found, and a *Capias* was made out against him; but as he was at that very juncture in *Newgate* for debt, therefore in *July*, 1739, he was removed to the criminal side.

On the 7th of *December* following, a commission was made out at the Ad—ty for him to be fourth Lieutenant of the *K—t*, from which his creditors conceived hopes he might become able to pay them, and therefore accepted his paper security; but as this did not satisfy the King's publick justice, he could not come out of *Newgate* till the 19th of *December*, when by *Habeas Corpus* he was removed to the *King's Bench*, and Judge *Chapel* admitted him to be a prisoner at large, upon his entering into a recognizance of one hundred pounds, to appear in court *de die in diem*, in order to re-

ceive such punishment as should be found adequate to his crimes. Next day he went to the Ad—ty-office, and was sworn in L. of the *K—t*; as he has never since appeared in court he has forfeited his recognizance, and there is now in the *Exchequer* an extent against his body, house, goods, and chattels, besides his being still liable to punishment for the crime for which he stands convicted on record.

These L. *S—I* looked upon as strong and cogent reasons, why (as it was both unsafe and scandalous) he ought not to associate himself with a man of so infamous a character, therefore he declined eating, drinking, or conversing with him, and so did the rest of the officers, till C. *L—g—n* full of unjust resentment to L. *S—I*, and thinking this man a fit tool for his purpose, prevailed upon the officers to admit *N—H* into the mess; L. *S—I* persisted in his resolution and withdrew from it: How basely this was afterwards misrepresented to his prejudice, will appear in the sequel of this story.

L. *S—I* finding the first Lieut. thus drawn into C. *L—g—n*'s schemes, wrote him a letter dated the 2d of *October*, expressing the extreme desire he had to live in friendship with him, and promising to ask his pardon, if he could make it appear to any impartial men that he had ever given him offence; but, contrary to his expectation, the first Lieut. meeting him on shore in *Hieres* bay, attacked him and drew upon him, and as there were no witnesses, he can only appeal for the truth of what he shall say, to Mr. *L—g*'s own conscience, and to that omniscient God who knows the most hidden secrets in the utmost recesses of his heart. As it was impossible

sible that *L—g*'s pusillanimous disposition could have escaped *S—l*'s notice, during twenty months that they had been together on board the *El--th*, he knew this was not his own spontaneous act, and that he was set on by *C. L—g—n* to quarrel with him who had never offended him; *L. S—l* asked him why he was so weak as to suffer himself thus to be made a fool of, to take upon him another man's quarrel? and in order to appease him, he again offered to ask his pardon, if he could make it appear that he had done any thing that required such a submission from him. *L. L—g*, elated with these extraordinary concessions, became more intractable, and bid *S—l* draw; thus finding himself obliged to act in his own defence against a man whose friendship he was courting, or else to be forever branded with cowardice, *S—l* drew, but *L—g* behaved so faintly, that he had it absolutely in his power to have run him thro' the body, yet he only gave him a slight wound in the sword-hand, and such as would not have disabled a man of any spirit; he no sooner saw his own blood but he shed a flood of tears; *S—l* took his sword from him and flung it away, and bid him to ask his pardon, which he obstinately refused, saying he might take his life: *S—l* told him he scorned to take so base a life as his, and would not soil his hands with so dirty a fellow; upon this he went away and left him. *L. S—l* had no sooner lost sight of him, but he began to revolve in his mind what might be the consequence, if this creature, thro' madness and despair, should run himself upon his own sword; that it would never be in his power to dissuade mankind from a belief that he had killed him; therefore *L. S—l* ran back
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to *L—g*, and found him setting disconsolate crying under a tree; he was moved with compassion and fetched him his sword, which he put on; *S—l* endeavoured to comfort him, and begged him to come away, and assured him, that notwithstanding what had happened, he should still be glad to be friends, and that he would still ask his pardon if he could make it appear that he had ever offended him. *L. L—g* told him that he was a rascal, a villain, and a scoundrel, and that he never would be friends with him.

This ill language provoked *S—l* greatly, he said to *L. L—g* you are not disabled, if I myself had been wounded twice as much as you are, I would either have fought on, or else have asked your pardon, and therefore since you are so rash as to use this UNBECOMING language, I insist upon your drawing, but this he refused; *S—l* distinguished between the gentleman and porter, he considered that when blows are given, the former dreads the shame of being treated like a slave, the latter regrets the pain only, and therefore (*L—g* having his sword by his side) *S—l* caned him, but in such a manner as conveyed the disgrace without the smart, for he only struck at his stick, which he was not so disabled but he did handle and defended himself with it, holding it in his sword-hand till *S—l* had beat it to pieces; but yet he never struck him, tho' he had it in his power to have beat him to atoms, and he never pretended nor offered to shew the least mark either on his head or any other part whatsoever. *S—l* not only declined beating him, but as *L—g* was on shore with the long boat filling of fresh water, and he himself had the six-oar boat, he kindly offered

offered him, that if he would take that boat and go on board, he would stay on shore and fill the water for him; *L—g* was so slightly wounded that he did not find himself under a necessity to go off to be dressed, but stayed on shore untill the evening. *S—l* only made him sensible of, but did not inflict upon him, the punishment which he conceives was due to the abusive language which he gave him; for he imagines that his case is nearly resembling that of an enemy, who having struck his colours meets with good usage, but abusing the victor's lenity is so rash as to renew hostilities, and thereby forfeits all right to favour, which the laws of war did allow him; insomuch that what would before have been deemed cruelty, becomes not only justifiable but even necessary. Next day *C. L—g—n* told *S—l* he had received a complaint against him from Mr. *L—g*, and with an affected air of impartiality told him, he thought it was just but to let him know it before he showed it to the Admiral, at the same time advising him to ask Mr. *L—g*'s pardon, rather than this affair should come to the Admiral's knowledge. *S—l* told *C. L--g--n*, that he did not know he had done any thing amiss, and that he would ask no man's pardon, but prayed he would carry that complaint to the Admiral; that he was ready to justify his conduct in every particular. Next day *S—l* waited again upon *C. L--g--n*, desiring he would let him see the complaint that was made against him; *C. L--g--n* finding he could not prevail upon him to become the instrument of his own ruin, and to ask pardon, which of course would have implied he was in the wrong, and *C. L--g--n* being well convinced, that he could expect nothing but confusion
and

and ill success from an enquiry into this affair, of which S—l would have made him himself appear to have been the author, C. L--g--n told him he had destroyed the letter; but as L. S—l considered that common fame would certainly bring this affair to the Admiral's knowledge, and that the circumstances of it might be aggravated by a partial and disingenuous relation, therefore he wrote to the C—der in C—f the 16th of *November*, 1742, giving him a full account not only of this affair with Mr. L—g, but of C. L--g--n and L. N--ll's behaviour to him. A— M--ws sent S--l's letter to C. L--g--n, and ordered him and those concerned to answer it every syllable; but C. L--g--n, conscious of what he had done, kept his cabin for three weeks pretending to be sick, but sitting up drinking till one or two o'clock every morning, and in the mean time using his interest, and all the ways and means he could think of to appease the Admiral, when at last he ventured to produce himself; but neither he, L--g, or N--ll having any thing to say in their own justification the affair ended, the Admiral *declaring he was very well satisfied with S--l's letter.*

Tho' the Admiral conceived the utmost contempt for C. L--g--n, and considered him as a man absolutely unfit to command, yet he seemed desirous to treat him with as much lenity as possible, and therefore in order to let him down easy, he appointed him to be Captain of the *N--t--ne*, on board of which ship Ad. L--t--k's f—g was flying, thereby reducing him (as it were) under the immediate tutelage of a superior. C. L--g--n submitting had his baggage packed up and was ready to go, but Mr.

L-t-k artfully interposed in his favour, and represented to the Admiral, that *C. L--g--n* was an old man, and consequently unfit for a flag's Captain who ought to be a brisk active man; so that his incapacity, which would have disgraced another man, saved him from falling. But tho' he continued in the *El--th*, a fine seventy gun ship, and he himself was one of the oldest Captains in the *Mediterranean*, yet the Admiral branded him with a publick and visible mark of reprobation, and constantly employed him as a sumpter horse, in going backwards and forwards to *Marseilles* for necessaries for the fleet, and his ship might more properly be considered as a store-ship than a stout seventy gun ship.

Thus not being able to find the least flaw in *S--l's* conduct, nor to bring about their dark purposes with the least shadow or appearance of justice, they continued to undermine him, with slanders and defamation; but at length as *Ad. M--ws* was *P--n--po* to some of the *Italian* princes, he was obliged to repair to *Turin*, and in *June 1743*, he left the fleet in *Hieres* bay, the command whereof devolved to *R--r Ad. L--k*, who had not power to hold a court martial, in the absence of the *C-----der* in *C--f*.

C. L--g--n being *Mr. L--k's* favourite, he thought the Admiral's absence was a proper opportunity to ruin *S--l*, therefore they began to persecute him afresh, especially *Mr. L--g*, who then grew outrageous, and did not even save outward appearances but sacrificed all regard to justice, honour, and decency, to his darling passion, he used all the arts of falshood, and by misrepresentations was continually misleading *C. L--g--n*,

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On the 16th of *July*, the *E—th* failed out of *Hieres* bay, and next day she took a large *Venetian* ship bound from *Genoa* to *Cadiz*, and carried her into the bay of *Hieres*, when *C. L—g—n* went on board of *Rear Ad. L—k*; about two in the afternoon the Coxswain of the barge brought orders to *Mr. L—g* to weigh, get the ship under sail, and ply off, and on, under the Admirals's stern; *Mr. L—g* proceeded accordingly, but when *L. S—l* began to act in his proper station *Mr. L—g* bid him hold his tongue, and that he should never have any thing to say on board, whenever he himself was commanding officer, otherwise he would confine him. *S—l* told him he thought he had a right both to speak, and act as an officer in that ship: *Mr. L—g* replied publicly, *the people should not obey him.*

Thus in order to satisfy his private pique, and from a most ungenerous principle, did he endeavour to stir up the ship's company to mutiny against *L. S—l*, and to subvert that subordination, without which there can be neither command nor discipline on board of his Majesty's ships. *L. S—l* told him he had a commission from the Admiralty, by which every individual in that ship, (except his superior officers) was strictly charged, and commanded, at his peril to obey him; *Mr. L—g* then wrote a complaint to *C. L—g—n*, and sent one of the Mates with it on board the *N—t—ne*. *C. L—g—n*, coming on board soon after, sent for *L. S—l* to his cabin, and told him *Mr. L—g* had made a complaint against him, that *Ad. L—k* had seen it and had ordered him to be confined, therefore it was not in his power to avoid it. *L. S—l* told

told him he was ready to comply. As C. L—g—n upon enquiry soon became sensible that this was nothing but groundless clamour, and that Mr. L—g, far from having the least shadow of reason to complain against S—l, he had himself acted in a very unjustifiable manner: Moreover as the E—th was then going to Ad. M—ws at *Villa Franca*, where S—l would have had an immediate opportunity, to apply for justice, C. L—g—n did not think proper to confine him at that time, but bid him go about his business till further orders. L. S—l went down to his cabin. At six a'clock a mate came down, and called L. S—l to relieve L. L—g; he considered that it was equally dangerous for him, whether he did, or did not relieve him, for if he relieved him, then C. L—g—n would have said, how dare you to take upon you the command of the deck, after I have notified unto you the Admiral's order to confine you? And if he did not relieve him, then the argument would have been equally strong against him for neglect of duty. Therefore in order to extricate himself out of this difficulty, and act securely, he bid the mate go, and give his humble services to C. L—g—n, and desire his directions, how he was to act in this affair. The mate returned and told L. S—l, C. L—g—n ordered him to do his duty, he immediately went up and relieved the first Lieutenant.

Thus L. S—l continued acting, and Mr. L—g had the mortification to see his scheme fail for the present, and producing no other effect, than exposing his own malice. The E—th proceeded on her voyage to *Villa Franca*, and on the 22d of July, Ad.

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M—ws

M—ws, for reasons best known to himself, ordered the *Venetian* ship to be released, so the *E—th* returned to *Hieres* bay, where she anchored on the 27th. At four a'clock in the morning *L. S—l* relieved *L. L—g*, and received orders, that in case there was any wind, the master was to new birth the ship; it proved calm all his watch, at eight he delivered the same orders to the third Lieutenant. About nine a breeze sprung up, and the ship was got under sail, and as *Mr. L—g*, whose duty it was as first Lieutenant to have been upon deck was better employed with his fiddle in his cabbin, *L. S—l* came up again, and was of course commanding officer upon deck, and continued so till about twelve o'clock, when the ship was brought to an anchor and moored a cable each way. About this time *C. L—g—n* went out of the ship, and left orders for the long-boat to make two trips on shore for water that afternoon; as in the common rotation of duty it was *S—l's* turn to go for water that day, he went away with the long-boat about one o'clock, and by the way the patron told him, that *Mr. L—g* had forbid him taking any more than twelve men, whereas it was customary to carry sixteen, on account of the long way the men were obliged to roll the cask; when *L. S—l* came on shore he was forced to leave two men to keep the boat, the other ten rolled each of them a cask, so that there remained three empty, which took him as long filling as another whole boat load would have done, supposing he had had hands enough at first. When he had all the casks in he got under sail, upon his coming on board he asked *Mr. L—g* whether he was to make another trip? he said, yes,
but

but yet he would neither dispatch the clearing of the boat himself, nor suffer L. S—l to speak, so that it was six o'clock before he went from the ship the second time; and as he had the wind then in the N. W. quarter and right in his teeth, it was after sun-set before he could get to the watering place.

A serjeant of a *Swiss* detachment of guards came to him with his commanding officer's compliments to his Captain, desiring he would not any more send his boat for water so late, but now he was on shore he was welcome to fill his water, which he did and returned on board about nine o'clock. C. L—g—n coming on board about ten, L. S—l went after the usual manner to receive him at the side, and told him what the *French* officer had desired he would tell him. Mr. L—g immediately replied it was L. S—l's fault, and that if he had not neglected his duty he might have been on shore sooner. C. L—g—n, who had been drinking hard that afternoon, readily admitted this false accusation which so well suited his inclination, and without the least enquiry, and upon Mr. L—g's bare assertion, he hastily cried out with a violent oath, You have neglected your duty, have you? that's enough, call the master at arms: L. S—l was immediately ordered to be confined.

I should not have dwelt so long upon the minute circumstances of this affair, as I have done, but as it is hardly credible, that L. S—l should be confined so long as he was without some just cause, I thought it necessary, and even highly incumbent upon me, to relate every particular, in order to shew that it was entirely the effect of malice, and that Mr. L—g falsely accused him of *neglect of duty*, even

contrary to the conviction of his own senses, and the knowledge of the whole ship's company. But in order to set this affair in the clearest light, I will consider this accusation both ways, and suppose it first to be true, then false. If true, still it proceeded from malice, considering the service had received no detriment from his pretended neglect, neither was C. *L—g—n* questioning him about it. On the other hand, if false (as it certainly was) it is not in the power of words to express the heinousness of the crime; sad instance of the depravity of human nature! L. *S—l* who had been upon duty that day fifteen hours out of seventeen, that is from four o'clock in the morning to eight, and from nine to twelve, and again from one o'clock in the afternoon to nine at night, and brought on board two boat loads of fresh water, fetched a mile and half up in the country, notwithstanding Mr. *L—g*'s endeavours to hinder him, yet the same Mr. *L—g* himself thus falsely accuses him, and lays him under a most severe confinement.

During which it would require a much abler pen than mine, to describe in a pathetick manner, and convey a full and compleat idea of the hardships and barbarities which L. *S—l* suffered. Here he learned by fatal experience, to what length men actuated by violent passions, are capable of carrying their resentment, when their ambition is without controul, left to exercise freely a lawless and arbitrary power. C. *L—g—n* without regard either to L. *S—l*'s innocence, or the rank and distinction he bore on board that ship, let loose the reins to malice and resentment, and reduced him at once to the lowest, most wretched and distressed condition; as if his Majesty's

Majesty's ship had not been a sufficient confinement for an officer, he was locked up in a little cabbin six foot square, in which he was obliged to eat, drink, and sleep, and poison himself with his own excrements; for as thro' the excessive heat of the season in that naturally hot climate, the want of air and his usual exercise, he was soon reduced to an ill state of health, and a violent flux came upon him, and at the time when his necessities were most pressing, he could not be let out without the previous ceremony of sending for the master at arms, who never wanted a pretence to stay much longer than he could possibly wait, and at last would come only to deride and insult him; so that the liberty which C. *L—g—n* had for form-sake given him, to go to the quarter-gallery, was by these means rendered absolutely useless to him. This treatment had like to have put an end to his life; as a further aggravation of his misfortune, no body was permitted to come near him, neither was he suffered to write to any of his friends in the fleet, any more than if he had been guilty of the blackest and most enormous crimes; and altho' there was a market in *Hieres* bay, plentifully supplied with all manner of refreshments, it was impossible for him to get any thing bought for himself, so that he was reduced to the hard necessity, sick as he was, to live wholly upon salt provisions.

Next day after his confinement, L. *S—l* wrote to C. *L—g—n* to desire to know what crime he stood charged with, that he might prepare for his defence; but now he had had time to reflect and consider, what a rash and unjustifiable step Mr. *L—g* had hurried him into, he could charge him

with none. As L. S—l thought it inconsistent both with his honour and future safety, to accept of a releasement without some sort of satisfaction, that it would not have asswaged that malice and inveterate hate, with which Mr. L—g was still resolved to persecute him, and would only have paved the way to another future confinement, which would soon have happened upon some trifling pretence or other, but with an additional force of argument against him; therefore he thought it more prudent to bear all these misfortunes, still flattering himself that if his ill state of health should permit him to go thro' these difficulties, he should some time or other come to Ad. M—ws, little suspecting that he would have denied him that justice, which the many injuries he had received so loudly called for.

On the 4th of *August*, L. S—l being extremely ill, Dr. L—d—le, physician to the fleet, was so kind as to come to see him, and in his great distress to assist him with his advice; but Mr. L—g being then commanding officer on board, by an unheard of act of cruelty, refused that gentleman to see L. S—l, untill he extorted a promise from him, that he would not take either papers or letters from him. Others of his friends were sent away by L—g without being permitted to see him at all. Next day being the tenth of his confinement, C. L—g—n finding that L. S—l's innocence still comforted and supported him under the bitterest afflictions, that he was immoveable and bore all this ill-treatment with patience, like a rock, against which the billows of the seas spend their fury in vain, that he would not quit the ship, and thereby give him an opportunity

tunity to get him dismissed the service at home, he then gave him leave, and L. S—l wrote to R. Ad. L—t—k, representing his case, and praying he would send him and his accuser to Ad. M—ws, in order that their actions might be publicly enquired into at a COURT MARTIAL; but finding that he took no notice of his letter, and the persecution he laboured under from one severity to another, growing every day more intolerable, and having received an intimidating letter from one of the principal officers in the fleet; on the 3d of *September*, 1743, L. S—l wrote to the S—t—y of the Am—ty, imploring their L—d—p's protection, and praying they would direct Ad. M—ws to enquire into the cause of his confinement, and his actions in general at a publick COURT MARTIAL. On *September* 9, the *El—tb* going to sea, C. L—g—n sent for L. S—l, and told him it was Ad. L—t—k's order, that he might have the liberty of walking in the ship, so his chain was a little lengthened; and having a centinel with a cutlass attending him all day, he was permitted to breathe a little fresh air and to walk the main deck, among the fore-mast men and near thirty large hogs, which C. L—g—n kept loose upon deck; and in order to make his people amends for the intolerable stink and nastiness which those creatures made, he killed them when fat, and sold them a groat a pound to his men; such was the company which L. S—l was permitted to keep upon the main deck; it would have been too great an honour to have admitted him upon the quarter deck! Mr. L—g looking still upon S—l with a most invidious eye, not only caused him every day to be insulted, but used him himself in the grossest manner imaginable.

Notwithstanding C. L—g—n had so lately gently felt the rod of justice, yet now that through Mr. L—k's favour, he was again employed in the military way, and was sent a cruizing off *Toulon*, to observe the motions of the combined fleets ; instead of reforming, and endeavouring by a strict and diligent discharge of his duty, in some measure to retrieve his lost character, he still went on in the same drunken blundering way ; insomuch that in the evening of the 16th of *September*, the *El—th* being close in under the batteries on the back of *Toulon*, with the *R—l O—k*, and *B—a longa*, in full sight of the enemy, who as there was but very little wind, might with the assistance of their galleys have attacked him with great advantage : Yet this great Commodore returned at ten o' Clock at night, from on board the *R—l O—k*, so excessively drunk, that he could neither speak nor stand, and was obliged to be helped up his own ship's side.

Having cruized about three weeks, he stood away for *Mahone*, where he arrived on the 5th of *October*. Here L. S—l was used exceedingly ill, on the 22d Commissioner *F—k—ham* came on board the *El—th*, L. S—l took that opportunity and wrote to him, in hopes to receive from him that protection which he found afterwards was not in his power. So this application served only to incense Mr. L—g, and made him persecute L. S—l with double fury : So that on the 26th in the afternoon, in consequence of Mr. L—k's leave, L. S—l was sitting, and reading at a little table in a corner of the ward-room, while his servant was making his bed in his cabbin, Mr. L—g
in

in a most violent manner bid him be gone, took away his candle, and at the same time, pulled the chair away from under him, so that he fell backwards with his head to the deck; then by his order, the Master at Arms came and took hold of him, weakened with confinement, and sickness, and half stunned as he was, dragged him into his cabin.

On the 30th of *October* being his Majesty's birth day, the ship's company had been drinking and rejoicing, some were singing and roaring, whilst others were fighting and quarrelling, and the ship full of lights, even down in the hold, with 257 barrels of powder on board. These are the times that require the attention and prudence of the most experienced officers, to rule and govern such a number of men, and quell those disorders so frequently the fore-runners of mischief, and the most fatal accidents. Instead of that L. N—— the only officer on board, went away about eight at night, leaving his Majesty's ship exposed to all the misfortunes that licentiousness, and want of discipline are commonly attended with. Next morning, 31st of *October*, all the powder was sent on shore, and the ship was transported along side of *Mabone* wharf. Then L. S—I wrote again to Commissioner F—k—ham, representing the inexpressible distress he was in, and praying his protection; this application like the former, only added fuel to fire, and Mr. L—g, who now had absolutely banished sense, justice, and reason from his councils, to follow the dictates of insatiable hatred, and a raging ungovernable passion, still persecuted him with more violence; insomuch that the very next day, C. L--g--n had been drinking

ing hard all the afternoon, about eight at night the Master at Arms came and took L. S—l by the collar, and put him forcibly into his cabbin; he put his light out, and swore, that he should never burn a light after eight o'clock; neither did his insolence stop here, for he soon after came to his cabbin, and in the dark he ran his fist in his face, the centinel at his door was relieved, and threatened for attempting to protect him; I dare say this is the first instance that a commission officer on board any ship in the royal Navy has received such treatment, from a Master at Arms; neither can it be pretended that the safety of the ship was the object in view, since there was now no powder on board, and they were so little solicitous about it, but two days before, when the magazine was full. But yet this act of violence was rewarded by C. L—g—n, and L. L—g, with their best applauses and commendations, and especially by Mr. L—g, who told him, he had done his duty well.

L. S—l finding himself divested of power, and his lawful authority, on board the ship, unprotected and exposed to violence, and all the indignities, that malice armed with arbitrary and unlimited power could suggest, he wrote again to Commissioner F—k—ham the 2d of November, gave him a full account of the treatment he had received, and prayed his protection; but received for answer, by C. George Balchen, on board of whose ship the Commissioner's broad pendant was flying, that the Commissioner had lately received a letter from Ad. M—ws, forbidding him meddling with military affairs, and confining him to the fitting, and sending to sea with all possible expedition, such ships as he

he should send into *Mabone* harbour. Soon after C. G—s came to *Mabone*, in his Majesty's ship *Marlborough* to clean; as he was senior officer in that port, L. S—l wrote to him, in hopes to receive from him that protection, which the fear of Ad. M—ws's resentment had prevented Mr. F—k—ham from granting him; but to no purpose; however on the 3d of *December*, C. G—s came on board the *El—th*, along side of *Mabone* wharf, he sent for L. S—l up into the great cabin, and told him he knew it was his own fault, that he was so long confined, because C. L—g—n was a good natured man, and if he would but own himself in the wrong and ask pardon, he was sure C. L—g—n would easily forgive him. L. S—l finding himself destitute, even of the hopes of protection, thought he had no other way of securing himself from the tragical and clandestine fate, which he expected their malice would have brought him to, than by seeming, for the present, to desist from his complaints, and amusing them with a prospect of impunity.

Therefore he told C. G—s that he was sorry if he had done any thing amiss; upon this C. L—g—n coming into the cabin, cried out, O Lord! Mr. S—l, that's enough, why did you not say so before? *I am your friend and very far from wishing you any harm, that's enough.*

Then C. G—s proposed to L. S—l, as he seemed to be in an ill state of health, that he should ask leave to quit for his recovery; as he knew this was the very thing which C. L—g—n, in order to conceal his crimes, had been long endeavouring to compel him to, for his own PRESENT PRESERVA-
TION,

TION, he seemed to acquiesce. Then it was agreed that both of them should write to C. G—s, praying him to procure the Admiral's leave for L. S—/ to quit; accordingly C. L—g—n wrote, that “as L. S—/ had made him proper concessions, for the affront which he pretended that he had given him upon the quarter deck, he had no objection to his quitting, if it pleased the Admiral to give him leave so to do.” Thus the mighty crimes which had brought upon him so tedious a confinement, and such excessive ill treatment, were at last reduced to the mean pretence of a personal affront. Nevertheless L. S—/ would not even allow this, because he knew he had never done any thing to affront him; and therefore told them both, they had deprived him of liberty, and destroyed his health, because they could usurp the power of so doing; but they had not as yet deprived him of reason, and therefore it was in vain for them to expect that he should make any concessions, unless they would let him know the particular instance in which he had affronted him. That for his part he was not ashamed of any of his own actions, and was ready to justify them, at a publick court martial. At the same time L. S—/ tore C. L—g—n's letter; then with the utmost confusion, he, in a suppliant tone, asked L. S—/ how he would have him write; L. S—/ told him, that it was sufficient for him, to declare in general terms, that all differences between them were at an end, and that he had no objection to his quitting; he did it accordingly. But lest C. L—g—n's letter should be suppressed, and another substituted in its place, L. S—/ took care to graft and insert it in his own, so

that they could not be produced one without the other. Upon this C. G—s promised to write to Ad. M—ws by the very first opportunity. In the mean time L. S—l was set at liberty and went up and down in the island of *Minorca*, wheresoever he pleased, the week following he waited on C. G—s, and desired him to let him see what he had wrote to Ad. M—ws concerning him, as he had promised him he would.

L. S—l was startled, when he found that C. G—s had represented him in the worst light possible, and had told the Admiral that to give him leave to quit, and let him escape with impunity, would be an act of goodness, and generosity, and that if he did not think proper to do it for his sake, he hoped he would do it for his uncle, Sir C—les H—dy's sake, and supported this devilish, malicious intercession, with a misapplied quotation out of the holy scripture, saying, that *David* had fed *Mephibosheth* at his table for his father's sake. L. S—l took his leave, but revolving in his mind the wickedness of this unfair proceeding, and considering that he ought still to guard against his sworn, and implacable enemy ; he wrote to C. L—g—n on the 25th of *December*, complaining of the treatment which he had received from the Master at Arms, and desiring he might be confined, till the *E—th* came to Ad. M—ws, who alone had power to take cognizance of this affair ; but C. L—g—n took no notice of it, well knowing, that this point would have brought his whole conduct into examination. Nevertheless L. S—l still continued in the full enjoyment of his liberty in the island of *Minorca*, till an express arrived from Ad. M—ws, when

to C. *L—g—n*'s great disappointment there was no leave for L. *S—l* to quit the *E—th*, but a strict order from the Admiral, for every ship in *Mabone* harbour, whether clean or not, immediately to come out and join the fleet in *Hieres* bay; the combined fleets of *France* and *Spain* being daily expected out of *Toulon*.

Thus C. *L—g—n*'s hopes of concealing his crimes and screening himself from a just punishment, vanished for the present, and in their room succeeded anxious cares, his guilty mind was tormented with remorse, and the just apprehension that Ad. *M—ws* would look upon his having released L. *S—l* without authority, after he had detained him so long without cause, as an invasion of his office, and would not fail to make him feel the weight of his vengeance. Therefore C. *L—g—n* endeavoured to gloss over those illegal and arbitrary proceedings, and on the 7th of *January* 1743-4, when the *E—th* sailed from *Mabone*, he told L. *S—l*, he looked upon the whole island of *Minorca* as a garison, that he had been all along, and was still a prisoner.

Is not this the grossest absurdity? for supposing the sacred Laws of these Kingdoms, had not strictly restrained and confined the Lord high Admiral's jurisdiction to the main sea and streams of great rivers, below the bridges on the same, even then how could so large an island as *Minorca*, with several ports about it, from whence all manner of embarkations were daily issuing to all parts of the *Mediterranean*, be deemed a proper, or sufficient confinement for a sea officer? and for L. *S—l* especially, who was supposed so highly guilty, as
made

made it six months before seem to C. L—g—n absolutely necessary to shut him up close in a cabin, the ship though at sea and cruising not being thought in his great wisdom a sufficient security.

When the *El—th* arrived in *Hieres* bay, she found Ad— M—ws, whose presence L. S—l had so long wished for; the miseries which he had been exposed to for half a year, drew the attention of the whole fleet, to whom he was represented as a mutineer, and who might well imagine that none but crimes of the blackest dye could bring such severe treatment upon him, and therefore they thought his doom inevitable. C. L—g—n thought otherwise, he was so sensible how much he had injured him, that he never dared to set forth any accusation against him, neither did he himself appear before the Admiral, but remained on board his own ship, pretending to have the gout.

On the 13th of *January*, S—l wrote to Ad. M—ws, gave him a general account of his confinement, represented C. L—g—n as being an object both of his justice and mercy, and finding that he could not obtain a court martial, he prayed that he himself might have a hearing before the Admiral in his C—n's presence, in order that he might be restored to his employment; but the Admiral refused him that justice, and by his silence and connivance added weight to his misfortunes.

As L. S—l had six months before been shut close up in a small cabin, and half stifled with excessive heat, so now he found himself exposed to the rigour of extreme cold, for no sooner did the frost come in, but C. L—g—n caused the canvas to be taken down from around his cabin, and he was obliged to lie in

open air under the half deck, worse than any common seaman in the ship; so that such was his distress, he began to think his unhappiness consisted in his innocence, and to wish he had actually been guilty of something or other, that might have brought an end to his life, which was grown wretched and burthensome to him.

Thus, whilst his most sacred Majesty was exposing his own person to the dangers and doubtful events of war, in order to repress tyranny, assign bounds to lawless and arbitrary power, and secure to his people the free enjoyment of their liberties, L. S—l, tho' a faithful subject, a sincere well-wisher to his King and country, and under no publick accusation, found himself exposed to the most intolerable persecution, treated worse than a slave in *Turkey*, and still denied justice by the *very man*, whom his Majesty had appointed and empowered to administer it.

Thus being drove to despair, and not being able so much as to obtain an hearing from the Admiral, tho' it was ten days since the *El—th* had joined him, and as L. S—l knew that Admiral M—ws had a youngster whom he was desirous to make an officer in his room, he thought it would have been the height of rashness, to have resisted this haughty, imperious man, therefore he wrote on the 21st of *January* to C. R—ll of the *N—re*, desiring him to procure him the Admiral's leave to quit, but still *insisting on his own innocence, and protesting that this application should not prejudice his defence*. The same day L. S—l received an answer from C. R—ll, acquainting him that the Admiral would give him leave to quit, and prescribing him rules how he was
to

to proceed in his application, to which he was forced to submit, and on the 23d of *January*, 174 $\frac{3}{4}$, Adm. *M—ws* (without hearing *S—l* at all) sent him his letter of leave to quit, *i. e.* he dismissed him and filled up his vacancy; and as *L. S—l* was going out of the ship, Mr. *L—g* told him publicly upon the quarter deck, “ Well, you are going home, but God damn you, I shall see you again, and feel for you too;” *L. S—l* made him answer, that the shore where he was going was very near, and that if he was desirous of taking a walk with him, he never could have a better opportunity; he very prudently replied, “ That he must reserve himself for the service of his country.” Then *C. L—g—n* made out *L. S—l*’s tickets for near three years that he had served in that ship, but refused him his certificate; upon this *L. S—l* went on board the *N—re*, he applied to *C. R—ll* and desired him to give his duty to the Admiral, whom he prayed to call upon *C. L—g—n* to give sufficient reasons at a publick court martial why *L. S—l* was not to have a certificate. *C. L—g—n* was so frightened that he immediately complied.

Thus ended a confinement that had lasted twenty six weeks; a confinement destructive to the health, fortune, and reputation of *L. S—l*, and of which he has never been able to learn any other cause, than that he had honesty and resolution enough, to differ in opinion from *C. L—g—n*, and to relate the truth when his Majesty’s interest, the honour and welfare of the nation were concerned, and the *C—m—r* in *C—f* required it at his hands.

L. S—l would now, once more have tasted the sweet pleasures of liberty, but that he considered he

was forced out of his royal master's service, like an useless and unprofitable servant, and was shamefully turning his back upon the enemy, at that critical juncture, when a battle was daily expected, on which the fate of *Europe* seemed to depend. After the loss of his clothes, books, maps and instruments, after the treatment he had undergone, he was set adrift in this remote part of the world, and went ashore at *Villa Franca*, where I'll leave him for a while, in order, before I leave the *Mediterranean*, to relate what same rumours about the man whom I promised not to forget.

The *R—l O—k*, on board of which beau *Billy* was third Lieut. joined the fleet in the morning of that fatal day, on which her brave, experienced, but short-sighted *C—m—r*, by being among cowards shared their fate, and lost his good name, as well as the *B—sh f—g* her lustre. *Billy*, whose insolence had lately procured him a kicking which he never repented, was now more fortunate, for even supposing he had had a character to lose, neither that nor his person were exposed to any very great danger; for as he had lately waged unequal war in the field of *Venus*, he had a sufficient excuse for being where he was, in a place of sal—vation, down in the cockpit in the surgeon's cabin, wrapt up, not in sackcloth, but in flannels, performing a vow, the religious observance of which, suited his inclinations better than to be gathering laurels in the fields of *Mars*. The unpolite *Iberians* greatly disturbed him with their noise, and even were so rude as to send a shot within a very small distance of his recess; experience having thus convinced him, that there was yet a possibility of his coming to harm
even

even in this mansion of darkness, he was very much alarmed, and removed himself with his fears and flannels to the purser's cabin, on that side of the ship which was farthest from the enemy. As he was playing at bo-peep under water, consequently he could neither know nor relate what passed above, for which reason he had not the trouble of being called as an evidence, at the fruitless enquiry that has been made since; but as he has (by a strange metamorphosis) been lately converted into a P—t C—t—n, and will be every day peaceably acquiring that seniority, which (with interest) is the high road and necessary qualification for preferment; time may come, when in a future war he may lead his brave countrymen to as certain disgrace as any of his predecessors have done.

But to return to L. S——l at *Villa Franca*, from thence he crossed the *Var*, so went to *Antibes* and proceeded thro' the *French* and *Spanish* armies, and the whole kingdom of *France*, on his journey to *England*, not without very great expence and very great danger; at a time when the *English* name was grown odious to the *French* nation, and they were preparing an invasion into, and meditating the war against *Great Britain*, which was declared a few days after he arrived at *Dover*; from which time only, upon his application to the B—d of Ad—ty he was put upon half-pay.

As a state of inaction was his utter aversion, he went down to *Portsmouth* to Sir C—les H—dy, who then was going to sea with a squadron of his Majesty's ships; C. R—r M—n, who was appointed to command the S——ch, not appearing, Sir C—les H—dy gave an order to C. P—ry of the G—do

Bomb to command the *S---cb* till further orders, and as L. *S---l* was senior officer to all those that were present, Sir *C---les H---dy* gave him an order to command the *G---do* Bomb during C. *P---ry's* absence, notwithstanding all the endeavours that Ad. *M--t--n* used to dissuade Sir *C---les H---dy* from serving him; but when *S---l* asked him if he knew any ill of him, and what he had to say against him? his whole objection amounted only to this, that L. *S---l* had shown too great an inclination to break C. *L--g--n* when he was tried in the *Mediterranean*. Such was the resentment Ad. *M--t--n* showed him for not having forsworn himself, and for having presumed to speak the truth against his C. However, Mr. *S---l* commanded the *G---do*, and proceeded in her, as far as the rock of *Lisbon*, where Sir *C---les H---dy*, Admiral and C---m---r in C---f of that squadron, being out of the Narrow Seas, which are deemed to extend no further than Cape *Finisterre*, would certainly have made use of the indisputable right he had to appoint a person to the vacant command of one of the ships in his squadron, but that Ad. *M---t---n* desired him not to do it, representing that as his brother C. *R---r M---t---n* had lately been dismissed the service, for refusing to go to the *West Indies*, and he himself had met with difficulties in getting him restored, he therefore asked it as a particular favour of the Admiral not to give his ship away; adding, that as Sir *C--les H--dy* was one of the L---ds of the Ad---ty, he would always have it in his power to provide for his own sister's son. Sir *C--les H--dy* knew very well how fatal the late misunderstandings between the two

p—l o—rs in the *Mediterranean* had been to the whole nation; therefore, rather than run the risque of prejudicing the publick service, by giving Ad. M--t--n, who was next in command to himself, the least pretence to be dissatisfied, he, by a self-denying act, resisted the inclination, or rather the desire he had to provide for his nephew, who had been brought up under him from his childhood; so kept the S--cb vacant, and on her return to *Spit-head* C. R--r M--t--n took possession of her; C. P--ry returned to the G--do, and Mr. S—l to Lieutenant's half-pay, and came to *London* to wait the commands of the L--ds of the Ad--ty: The B--d, before they would confirm him or give him another command, thought proper to write to Ad. M--ws, desiring to know the particular reasons why L. S--l had quitted his ship in the *Mediterranean*. Then Ad. M--ws, tho' he had refused to hear L. S—l, and consequently could not say any thing concerning him, with any certainty, nevertheless was so rash as to write to the L--ds of the Ad—ty as follows.

“ It is not in my power to comply with their
 “ L—p's commands in regard to L. S—l, as all
 “ my papers are packed up and are at *Minorca*;
 “ what I can remember of him is, that he was al-
 “ ways troublesome and quarrelling, that his bro-
 “ ther-officers did not care to eat or converse with
 “ him, on which account he fought with his first
 “ Lieut. his character was such no Captain in the
 “ squadron cared to have him, which I avoided
 “ writing out of respect to his uncle Sir C--les
 “ H—dy.”

My Lord *W—sea*, who was then first L—d of the Ad—ty, seemingly acted upon principles of strict justice, he showed Ad. *M—ws*'s letter to L. *S—l*, and bid him see what his Admiral had wrote against him; that if he had a mind the Ad—ty should provide for him, he must clear up these matters with his Admiral.

Altho' this severe letter, which carries with it a force almost equal to the sentence of a court martial, robbed L. *S—l* of his reputation, and stopped his preferment in his Majesty's navy, yet patience was his only remedy; for to what purpose should he have attempted to refute this injurious letter, during Ad. *M—ws*'s absence from *England*? with what appearance of justice or reason could Ad. *M—ws* take upon him as truth and matter of fact, all the slanders and aspersions which C. *L—g—n* and his agents had spread thro' the fleet? could Ad. *M—ws* ground the least degree of certainty upon hear-say? especially as L. *S—l* had by his letter of the 13th of *January*, offered to justify himself, and he had refused to do him the justice to hear him? can any thing be more unjust or more absurd?

L. *S—l* is condemned, he is disgraced, and at the same time denied the privilege of self-defence, a privilege in which the liberties of these kingdoms greatly consists; a privilege to which every subject of *Great Britain* has a natural and a legal right. L. *S—l* is treated worse than the Rebels who most wickedly attempted to dethrone his Majesty, to extirpate his royal and illustrious family, and to subvert the laws and constitutions of these kingdoms, for not one of them has had room to complain,
that

that he has not previously been heard, by himself and council learned in the law, before he has received the just punishment due to his crimes.

Had Ad. *M--ws* been acquainted with this maxim of civil law, *viz.*

*Judex qui aliquid statuit, unâ parte auditâ tantum
& inauditâ alterâ, licet æquum statuerit, baud
æquus fuerit.* Lord COKE, & Just. Instit.

he certainly would not have condemned L. *S—l* unheard, but would have enquired into facts, then he would have found that he deserved applause and not blame, by showing a just contempt to a man of so infamous a character as *N—ll* was; he would have found that it was L. *S—l*, who from a just detestation of this man's vices, not only refused to eat, drink, or converse with him. As to fighting the first Lieut. is it not astonishing, that Ad. *M—ws* should twenty months afterwards mention this to the prejudice of L. *S—l*, since on the 16th of *November*, 1742. he gave him a full account of this affair, infomuch that it silenced his adversaries, and he himself at that time approved what L. *S—l* had done?

When L. *L—g* drew upon L. *S—l* can Ad. *M—ws* himself say, that L. *S—l* was not under an indispensable necessity to fight, or else be by every military man for ever branded with cowardice? but certainly L. *S—l* acted either right, or wrong; if right, then surely Ad. *M—ws* must be right also in approving his conduct, and from what spirit of malignity could he twenty months afterwards represent the same individual fact to his pre-

judice, and to so wicked a purpose as stopping his preferment in his Majesty's navy?

On the other side, if L. S—l had acted wrong, was not Ad. M—ws vested with proper and sufficient power to bring him to condign punishment? How came he to approve that which he himself afterwards undertakes to censure? and what is the notice which he would fain take of L. S—l's pretended misbehaviour, so late as twenty months afterwards, but a reproach to himself, and an acknowledgment of that which has since too plainly appeared, that whilst he commanded in the *Mediterranean*, he neglected the ad—t—on of publick justice?

As for the Captains of the squadron, supposing they had not a good opinion of L. S—l, what was that owing to? not to any ill any one of them knew of him, but to the wound C. L—g—n gave unto his reputation, when he accused him of perjury, and Ad. M—ws not doing him the justice to set that to rights, and explain it to them as he promised him to do. It was likewise owing to the slanders and defamation, which C. L—g—n and his agents had spread throughout the fleet against him, whilst he was confined and unable to justify himself to the world, or to obtain a hearing from the Admiral, who to conceal his partiality, and at the same time to enforce his ill-grounded letter, pretends he would have done him the injury sooner, had it not been out of respect to his uncle Sir C—les H—dy.

This being the true state of the case, 'tis no wonder that when L. S—l waited on Ad. M—ws on his return to *England*, he easily became sensible
how

how much he had been misled into an erroneous opinion of him, and that he was inclined to revoke the severe things which by hear-say only he had hastily wrote against him; and in order to do him all the justice in his power, he came to the Ad—ty with a full intention, as he himself declared, to set this affair to rights, the very day that his uncle Sir C—les H—dy died; since that, he did not seem so inclinable to do justice to L. S—l, but always put him off with cajoling words and vain empty promises.

Tempora mutantur, & nos mutamur in illis.

In the mean time, is it not said, that the p—b—k j—ce of the injured n—t—n has overtaken him, and pulled him down from that high station which he has proved unequal to? and that tho' his crimes have been taken into consideration, yet such has been the lenity of his sentence, he has only been deprived of the power and opportunity of injuring his country again in the same manner, and permitted to enjoy peaceably the fruits of his i—q—y; and even that, to the eternal scandal and disgrace of the annals of the times, he has found means to p—se a S** in P***?

However in *August*, 1747, L. S—l applied again to him, and he promised to do him all the justice in his power, and appointed him to come to his house, where by many strong reasons and irrefragable arguments, he convinced him that he had been misled and imposed upon; after he had sat discoursing with him for near two hours, whether it proceeded from the pricks and remorse of his guilty conscience, or from a fit of the gravel which he complained of,

L. S—l

L. S--/ knows not, but so it happened, he fell into such sudden agonies of pain, that his face was convulsed and distorted, he went up stairs, and desired L. S--/ to come again another time.

In about a fortnight L. S--/ went to him again, and found him in his garden among a number of workmen; he told L. S--/ he was, and had been extremely busy, and had not had leisure to think of his affair, but gave him his word and the strongest assurances, that he would order his Secretary to get all the papers that concerned him, and that he would very soon examine them, and would do him all the service in his power. Then L. S--/ took several turns with him about his garden, he asked him what news in town? L. S--/ told him he knew of none; then he said the Ad-ty had made such and such C--t--ns, but that they and many more were a parcel of villains, that had forsworn themselves at his trial. L. S--/ thought it was no business of his, whether it was so or not, but however, taking for a moment what he said for granted, L. S--/ endeavoured to bring it home to his own case, and desired him to observe that, since the power, the high rank, and station of Ad. and C--der in C--f, had not been sufficient to screen him, from false accusation, and the strokes of envy and malice; how was it to be wondered, if so minute and inconsiderable a person, in the character of a Subaltern, as L. S--/ himself was, had not been able to withstand a torrent of defamation? He owned the consequence to be just, and seemed very well pleased.

L. S--/

L. S—/ took his leave and returned to town, where for some time longer he amused himself, with the vain hopes that he would be as good as his word.

On the 31st of *October*, 1747, it was near ten weeks since L. S—/ had either seen, or heard any thing of him, he went to his house, met him at the door, and walked with him into his parlour, when he first put his arms a quimbo, then raising up a tiptoe, What's your commands, Sir, said he? L. S—/ told him, that when he waited on him last, he had promised him a speedy answer, but he was afraid he had forgot him. The Bashaw then resuming his state and fierceness, said, No, Sir, I have not forgot you, but to be plain with you, I don't intend to do any thing in it. This answer surprized L. S—/, who asked him what had happened to make him thus alter his mind, and further told him, that to injure an honest man in the cruel manner, in which he had injured him, was a crime of so deep a dye, that it would certainly haunt him in his last moments. Upon this the tyrant turned pale with anger, and had the rashness to lay hold of L. S—/ by the arm, bidding him get out of his house. L. S—/ considered this insolent treatment, as scarcely fit to be offered to his own servants, and therefore clapping his hand to his sword, told him it was no wonder, he now acted neither BECOMING a gentleman, or an officer, since it was too late for him to begin so to do, then left him.

Nevertheless, neither his treatment of L. S—/, nor his haughty imperious behaviour to his C--t--ns, when he commanded a squadron of his late Majesty's

ty's ships in the *E. I--d--s*, nor any particular act of oppression, he may have been guilty of, will provoke me to depart from those candid principles of justice, and impartiality, which I set out with; and, tho' I have endeavoured to point out some of this man's foibles, who really was so vain, as to think himself equal, if not superior to the vast power and command he was entrusted with; yet I am far from absolutely falling into the opinion of those, who think that his neglecting the opportunity of humbling the pride of *France* and *Spain*, has brought a foul disgrace on the Nation, and involved it into endless woe; for I don't know whether great advantages may not be expected from his not having provoked two such powerful nations, in too high a degree; nor even whether it can't be proved, that he has done greater services to his country, than all the sea officers that have preceded him for five hundred years last past. For if the maxim which some people have endeavoured to establish, be right, viz. that the publick debt, so far from being onerous and burthensome, is rather a security to the constitution, and that the creditors of the nation, ought to be considered as it's surest friends; if so, then it necessarily follows, that by leaving his country exposed to a long, bloody, and expensive war, as no man has encreased the national debt so much as he has done, so no one has procured his country so many friends. Yet alas! poor man, he is blamed, he is dismissed; hence 'tis evident, men's actions don't always meet *their full reward* in this world!

But to return to his letter, a representation of this kind from a man become considerable, by so
distin-

distinguished a station, could not fail of having great weight, and leaving a bad impression with the *B—d. L. S—I* found he had great difficulties to struggle with, for on the 7th of *February, 1744*, he wrote to their *L—ps*, praying, they would confirm the order given him by the late *Sir C—les H—dy*, to command the *G—do*, or give him another command, they thought proper to refuse the former, saying it was contrary to the rules of the *N—y*, but were silent as to the latter. Nevertheless by their order of the 31st of *July, 1746*, they directed the *N—y B—d* to pay *Mr. S—I*, as Master and Commander of the *G—do*; thereby tacitly approving his behaviour during the time that he continued in that command. Altho' he was exposed to all the severities of the law, and actually responsible to his country, for every accident that could possibly happen to that vessel, while she was under his direction; and tho' he was equally liable to be shot, as any other commander in his Majesty's fleet; supposing he had behaved UNBECOMING an officer, yet by an unaccountable fatality, he has ever since continued unemployed, and upon Lieut. half pay. Except that during the late unnatural Rebellion, at the time when the Kingdom was threatened with a foreign invasion, he thought it infamous to remain on shore in a state of inaction, to be an idle spectator, and afterwards become a partaker of the miseries that threatened his country; and since he could not obtain that preferment which he once flattered himself, his long services had given him some claim to; he on the 12th of *August, 1745*, accepted a Lieutenant's commission on board the

the *R—l G—ge*, with Ad. *V—n*, under whose command he continued till the first of *January* following.

Towards the latter end of *September*, during the heat of the Rebellion, a sea officer came on board the *R—l G—ge*, with a petition to the Ad—ty, desiring that they (the officers of the *R—l G—ge*) would sign it, the substance of which petition (as near as L. *S—l* can remember) represented the hardships, and great difficulties, that sea officers laboured under, especially those who had families, for whose subsistence they were obliged to take up money from usurers, at great interest for want of their pay, which they did not receive, sometimes once in seven years, while the sums granted yearly by P***, to defray those expences, remained in p—te h—ds, to the great prejudice of themselves and families; and therefore praying their L—ps to take their case into consideration, and direct that they might thenceforth be allowed to draw upon the T—f—r of the N—y for their pay, as well as the land officers do upon their Agents for theirs; or that they would be pleased to cause them to be paid, within some convenient and limited time.

L. *S—l* told that gentleman, that however just that complaint of the sea officers might be in its self, yet he imagined it was ill timed, now that the very bowels of the nation were convulsed with intestine war, and unnatural rebellion, it was rather their duty to unite in support of their lawful sovereign, in support of their laws and liberties, than to grow clamorous for want of pay. Oh! says he, this is the only favourable opportunity, we can lay

hold of, they are so much in want of us, they will not dare to deny us.

L. S—/ told him he was not for using such compulsive means; that he was first for seeing peace and tranquillity restored in the kingdom; then he was sure his most gracious Majesty would always lend an attentive ear to the complaints of his people, whenever they would represent their grievances with that respect and submission, as becomes dutiful subjects, but he was sure that at that critical juncture, the proposed application could not fail to discredit, and even tended to distress the government. Neither was he certain whether a very ill use might not be made of such a petition, when signed by all, or the major part of the sea officers; for supposing it was sent to the Pretender, or even the bare report of it, was spread over the northern counties of *England*, would it not be industriously inferred from thence, that the sea officers were disaffected, and therefore a general defection of the whole Navy was near at hand? would not such a notion have favoured the worst of purposes, and gone near to have intimidated many of his Majesty's best and most faithful subjects; and perhaps brought thousands into the Pretender's party, and rendered his army formidable?

L. S—/ considered this as the most effectual step that could be taken to serve the Pretender, and more capable of advancing his rash, and unlawful designs, than the Gentleman at first seemed aware of; he thought with Mr. *Buttler*, that

*Loyalty is still the same
Whether it wins or lose the game,
True as a dial to the sun
Altho' it be not shone upon.* Hud. Canto 2. p. 3.

Therefore L. S—l would by no means sign a thing which (at that time) might have such a pernicious tendency, the other officers on board the R—l G—ge followed his example, and refused it also.

The winter season coming on, and the weather growing so tempestuous, as made it unsafe for great ships to remain any longer in so wild a place as the *Downs*, on the 25th of *October*, Ad. V—n hoisted his flag on board the N—ch and the R—l G—ge sailed for *Spithead*; L. S—l remained on board of her till the 18th of *November*, when he left her, and C. H—son gave him the following certificate. “These are to certify the R. H. “ the L—ds of the Ad—ty, that Mr. J—n “ S—l served as Lieutenant on board his Majesty’s “ ship the R—l G—ge, under my command, from “ the 22d day of *August* 1745, to the 18th day of “ *Nov.* following, great part of which time Ad. V—n “ had his flag flying on board her, and during the “ said time of his service, he performed his duty “ with great sobriety, activity, punctual exactness, “ and obedience to command, and in my opinion “ is a very good officer, and seaman; upon “ which consideration, Ad. V—n gave him the “ command of a cutter, to observe the motions of “ the enemy at *Dunkirk*, *Calais*, *Bologne*, and “ *Ostend*; upon which important service, his vigilance was much approved of. Dated on board “ the

“ the *R—l G—ge*, at *Spithead*.

“ Signed in the original, *Tho. H—r—son*.

The *L—ds* of the *Ad—ty* having ordered *L. S—l* to repair to *Deal*, to attend *Mr. V—n*’s commands, and serve under him as an extra officer he bore cheerfully, and without repining the prodigious fatigues which he underwent, during the severity of the winter; he was now grown amphibious, sometimes riding forty Miles over frost and snow, by day and night, executing the *Ad—l*’s commands, wheresoever his Majesty’s service required it. On the 27th of *December*, the *Ad—l* riding under *Dungeness*, sent him over land with an express to *Ad. M—t—n* in the *Downs*, in the evening a custom-house sloop landed him at *Rye*, he rid all night, and got to *Dover* early next morning, so proceeded to *Deal*, and to *Ad. M—t—n*. It was pretty late before his dispatches to *Ad. V—n* were ready, however *L. S—l* failed with them, out of *Dover* Peer, in a custom-house sloop, between twelve and one in the morning. He went to *Mr. K—les*, on board the *T—n*, in *Dover* road, as well to deliver him some letters, as to gain what intelligence he could. *Mr. K—les* seeing some sails in the offing, supposed them to be the enemy, and making the proper signal, he immediately cut or slipt his cables, and stood out to sea to the southward. As the ships of his squadron were riding at a considerable distance within him they did not seem to observe his motions, therefore he ordered *L. S—l* to stand in shore and make them get under sail instantly.

L. S—l was extremely surprized to find, that at this most dangerous and critical juncture, when

the religion, laws, and liberties of this country were at stake; the C--rs of two of his Majesty's sloops had been so indiscreet (not to say worse) as to leave their vessels in this wild road, and to go on shore at *Dover*, the preceding day, and were not yet returned on board. Therefore their L—nts made difficulties to slip their cables. L. S—l told them it was the Commodore's orders which they must instantly obey at their perils, so they got under sail. L. S—l stood out to sea likewise, but as he perceived Mr. K—les hawling his wind again for *Dover* road, he judged it to be a false alarm, and went under his stern, hailed him, and as he had no further commands for him, about three o'clock in the morning he bore away for *Dunegnesh*. Soon after Mr. V—n returned to the *Downs*, and on the 2d of *January*, he struck his Flag, the command devolved to Vice Ad. M—t—n. Then Mr. V—n not only gave L. S—l the following certificate;

“ These are to certify all whom it may concern,
 “ that L. S—l, served under my command on
 “ board the R—l G—ge, while I had my flag
 “ flying there, from the 13th of *August*, 1745,
 “ and was afterwards appointed by their L—ps,
 “ as an aid Lieutenant under my orders, for such
 “ separate services as it was necessary, for employ-
 “ ing him in, for his Majesty's service, which
 “ he always executed with care and diligence,
 “ and an honest zeal for his Majesty's ser-
 “ vice, and an approved experience for the dis-
 “ charge of his duty, as a seaman, and an officer.
 “ Given under my hand this 2d day of *January*,
 “ 1745-6. Signed in the original, E. V—n.
 but

but recommended him to Mr. *M--t--n*, as a careful, diligent, experienced officer; but what could that avail? he knew that L. *S--l* would speak the truth! Therefore as L. *S--l* was an extra officer under Mr. *V--n*, and Lieutenant of no particular ship, he found himself adrift, and having no longer any business there, he was obliged to return to town.

In the spring following, Mr. *M--t--n* went away to the westward with a powerful squadron, to cruize on the enemy, in which service he preserved both his Majesty's ships, and subjects, with such extraordinary skill, and in general answered the expectations of the Nation, in such a manner, that he soon had leave to retire, from among a parcel of saucy tars, who sometimes were so insolent, as to walk upon the same deck with himself.

On the 19th of *May*, 1746, the Ad---ty appointed L. *S--l* to command the C--v--nor tender, he was to proceed with her to *Ireland*, to raise men for the Fleet; but upon his coming on board of her at *Deptford*, where she had laid idle some months, he found that she had neither men, sails, cables, cordage, rigging, nor any other necessaries fit to go to sea with. So that notwithstanding she belonged to ** ** he was obliged to represent the ill condition she was in, to the N---y B---d; they ordered the officers of *Deptford* yard, to survey her, and they reported her unfit for the sea, therefore she was dismissed the service. In the beginning of the year, 1747, C. *L--g--n*, who had artfully moved from ship to ship, and kept out of *England*, returned in his Majesty's ship *W--lw--cb*.

—*Quod optanti, divum promittere nemo
Auderet, volvenda dies en attulit ultro.*

Virg. *Æn.* lib. ix.

L. S—l on the 27th of *January*, 1746-7, made an humble representation to their L—ps, setting forth the tyranny, oppression, denial of justice, and those acts of violence and arbitrary power, so repugnant to the laws and liberties of the kingdom, and destructive to publick service, which he had suffered from C. L—g—n, for no other reason, but that he had strictly adhered to his Majesty's interest, the honour and welfare of the nation, both which he was by oath, and duty, as well as inclination, bound to maintain, and humbly praying their L—ps would be pleased to call upon C. L—g—n to answer the several facts laid to his charge, and that they would be pleased to take his long services into consideration, and do him the honour to employ him in such manner as might convince his oppressors, that whoever dares to be honest and true to their trust, and exert themselves in the service of their country, tho' they may for a while bring on themselves persecution, envy, and the resentment of bad men, will nevertheless find a certain asylum and safe retreat under the shade of their L—ps protection.

C. L—g—n was so frightened at the image of his own crimes, that he wrote to his friends, representing that he had been misled, and had greatly injured L. S—l, who (he was informed) was going to prosecute him in *W—ter* Hall, that he was sensible he could never justify himself, nor defend such a law suit, which must certainly end in his
utter

utter ruin, and therefore he prayed them to use their interest, and appease L. S—l, by procuring for him that preferment which he himself had hindred him of. In the mean time, he sent a gentleman to offer him 500 g—-as, which he refused, but soon had an interview with C. L—g—n, whom he acquainted, that before he could think of entring into agreement with him, for the losses which he had sustained thro' his means, there was a necessity to consider his reputation, which he must clear up in the strongest manner possible. Ay quoth he (with an oath) that's but just, I'll do it with all my heart; he sat down and wrote a certificate, by which he confessed the innocence of L. S—l, and consequently his own guilt. Next day, 13th of *April*, 1747, he desired L. S—l to go with him to the crown tavern behind the Royal Exchange, where in the presence of witnesses, he first delivered him the said certificate, and paid him the sum of 500 g—-as, as a consideration for his long confinement, the loss of his cloaths, books, maps, and instruments, and generally all his necessaries, as well as the loss of his pay, for upwards of three years; and as to the loss of his preferment, that was to be made good to him by C. L—g—n's friends: Then L. S—l gave him a release, but the sequel of this affair has convinced him, how just and necessary was the caution with which he acted; he took care not to give him that release, as an officer, but barely in both their private names and capacities, from J—n S—l, to J—ph L—g—n, so that it was absolutely confined to the personal injuries, which he had received from him, and could not in any shape be tortured, and made to extend to that part of his complaint, re-

lating to the prejudice which he (as a Captain) had done to his King and Country.

However, as L. S—l found some people inclinable to cavill with some words, of uncertain and unlimited meaning in C. L—g—n's certificate, he went to him, and on the 9th of *May*, when C. L—g—n could not be said to be under any apprehensions of a Law suit, he having a release from L. S—l, he gave him the following certificate.

“ These are to certify the R. H. the L—ds of
 “ the Ad—ty, or whomsoever else it may con-
 “ cern, that L. S—l served as second Lieutenant
 “ on board his Majesty's ship *E—th*, under my
 “ command, from the 28th of *August*, 1741, to
 C. L—g—n's “ the 23d day of *January*, 1743-4,
 third recan- “ during which time he behaved with
 tation, “ sobriety, diligence, and obedience
 “ to command; that I know him to be a very good
 “ seaman, and officer, and upon all occasions, he
 “ has given proofs of his knowledge and abilities,
 “ in naval affairs, and as to the differences that
 “ have unfortunately happened between us, I
 “ have since found upon examination, and the
 “ strictest enquiry, *that they were groundless*, and
 “ proceeded chiefly from the *misrepresentations*
 “ of Mr *J—n L—g* GE. then first Lieutenant
 “ of the said ship. I therefore humbly beg leave to
 “ recommend the said L. S—l as a person zea-
 “ lous for his Majesty's service, and fitly qualified
 “ for preferment in his Majesty's Navy. Given
 “ under my hand this 9th day of *May*, 1747.
 “ Signed in the original *J. L—g—n.*

Notwith-

Notwithstanding this, C. L--g--n thinking himself now entirely secure, he began to amuse L. S—l, with fair speeches, but finding that with all his art, he could no longer impose upon him, and that the storm was breaking out afresh, he frankly confessed, that it was not in his power to perform his promise in regard to L. S—l's preferment, which he had lost through his means, tho' he was very sensible he was as good an officer as any in the Navy, but that this was owing to evil counsellors, who had unfortunately misled him; therefore he thought it was highly incumbent upon himself, to convince him that he was still an honest man, and in order thereunto he was not only ready, but desirous, to make him all the reparation in his power, and therefore desired that he would except of an annuity of 100 pounds during life. L. S—l considered that he must have enjoyed that annuity under C. L—g—n's security, which he had no great opinion of, and therefore he refused it.

In a few days C. W—m F--d--g came to L. S—l at C. L--g--n's request, and endeavoured to prevail upon him to accept the said annuity, but he still refused it; however he employed another person to settle this affair with L. S—l, who paid him the sum of 500 g—as more; and as he desired that he would give C. L--g--n another release, he did it, but still in the same cautious manner as he had given the first, and even added an explaining clause, that the said instrument of release, was to secure the said J--ph L -g--n from civil prosecution only, neither can he say that it ever was understood in any

other sense, or that he was overreached, for he desired that after the words (civil prosecution) L. S—l would insert the words (et cætera) which he refused, and told him that he would not do it on any considerations whatsoever. Then C. L—g—n being promoted to the rank of R--r Ad—l, left *London*, and went to reside at *Dublin*, where he may tell his beads over without interruption.

In the mean time, Mr. J—n L—g, whom Ad. L--g--n had pointed out, as the author of all L. S—l's sufferings, had been appointed to command the *P—to* fire ship, and at sea in C--d--re F--x, who falling in with a *French* homeward-bound fleet, took several rich prizes, C. L--g by being in sight became a partaker of those great rewards, which the munificence of our most gracious So—n intended only for the brave and meritorious.

When C. L—g came to town, L. S—l thought it incumbent upon himself, to ask him why he had so basely accused, and misrepresented him to Ad. L--g--n, and on the 11th of *August*, 1747, meeting him at *Will's* coffee-house, he went into a back room, and sent a servant to desire the favour to speak with him; C. L—g sent him word that he would not trust himself in private with him, that he had no business with him, and did not desire to speak to him as long as he lived. Then L. S—l came out into the publick room, and desired him to read Ad. L--g--n's certificate, and to leave their differences to the arbitration of any Sea officers, but particularly to C. S—ders, who then happened to be present; but L—g absolutely refused it, saying in a low pitiful tone, did you not cane me? speak, did

did you not cane me? did you not speak ill of me, by which means, I one day lost a good dinner? Nevertheless I don't think myself obliged to fight you, for you wear a great sword, and I but a little one.

L. S--l, moved with compassion, to see him forget the honourable rank and station he was in, and disgrace his commission, went out of the room and left him deservedly exposed, to the scorn and contempt of every gentleman in it.

On the 20th of *August*, L. S--l met him again in the same place, and renewed his request to him to read Ad. L--g--n's certificate, and to come to an amicable accommodation, but he again refused it, and on a sudden flew into great passion, and in utmost despair and confusion, publicly drew his hanger, shaking it at L. S--l, in a threatening manner, saying he would fight him with a pair of pistols, in a saw pit, provided it was in presence of all the gentlemen in the room, who all laughed at so ridiculous a proposal. L. S--l told him he was sorry he suffered his valour to overflow at such a rate, that he imagined rather than to have drawn his hanger in a publick coffee room, it would have been much prettier, and more consistent with his military character, to have given him a private hint, if he was inclinable to have taken a walk out with him.

The very same reason which made C. L--g venture to draw his hanger prevented L. S--l from drawing his sword, viz. that if he had attempted it, upwards of twenty gentlemen, then present, would most certainly have interfered. Therefore he resolved to wait a more proper opportunity, to
revenge

revenge so great an affront and indignity. Soon after L. S---/ met him without a sword, and asked him whether he had forgot that he had drawn his hanger upon him; then shaking his cane over his head, he assured him, that if ever he met him again without a sword, he would certainly kick him like a foot-ball.

On the 22d of *October* L. S---/ met him again, and spoke to him mildly, saying, What have I met you, friend? to which he replied in a supplicant tone, "Wey now, wey can't you let me alone, pray
" now let me alone."

L. S---/ told him that he would gladly do it, and even would be friends with him, if he would but leave their differences to the arbitration of impartial men; he swore he would not. Then L. S---/ shaking his cane over his head, said he would not meddle with him yet, as he was a naked man, but bid him take this last warning, for unless he would wear a sword, he would upon all occasions treat him like a scoundrel as he was. Upon this C. *Jambier* immediately attempted to stir up the populace, which his noise and clamour had gathered about them, and to make them tear L. S---/ to pieces, telling them, "Gentlemen! this is a *French-*
" *man*, will you suffer a *Frenchman*, our common
" enemy, to have the impudence to attack me in
" the open streets of *London*; I, who am a free-
" born *Englishman*?"

L. S---/ would certainly have been very severely dealt with, if he had not had the good fortune to extricate himself, and to turn the edge of their fury against his enemy, by assuring them that he was not a *Frenchman*, that he had the honour to be an
officer

officer in his Majesty's Navy, one of his most faithful subjects, and a most sincere well-wisher to them all; that this man was a C——n of a man of war, who had used him extremely ill, that he had already bore a caning, and did not dare to wear a sword, as he himself and other officers did, for fear of being caned again, knowing that in such a case, he must either draw it, or give the world a further proof of his cowardice.

As this was very far from being satisfactory to L. S—l, in this sad dilemma he was pretty much perplexed, and at a loss what to do with so dirty a fellow, yet something was necessary to be done, his honour, his character, his commission, all were at stake; he had had a hanger publicly shaken over his head; on the one side, if he did not resent it, he might reasonably expect the same disgrace as had lately fallen upon an officer in *Flanders*, and upon the commander of one of his Majesty's ships in the *West Indies*, who had both been dismissed, for suffering themselves to be ill-treated, without showing a soldier-like resentment.

On the other side, if L. S—l resented it properly, he was sure to be involved in a vexatious lawsuit; the only medium he had left, was to have indicted C. L—g for publicly assaulting him; this last method he was advised to pursue, but could not prevail upon himself to stoop to it; he considered that step as infamous, and repugnant to all notions of that bravery and spirit, which should shine in the breast of every gentleman, that has the honour to serve his country either by sea or land. Therefore L. S—l resolved to vindicate his reputation, and to take vengeance of the base usage and
great

great injuries which he had received, and on the 2d of *November* meeting him again without a sword, he asked him, What are you here, you cowardly rascal? where is your sword? and pulled him by the nose;

[*This he himself has sworn to.*]

which he bore with surprizing patience, till being spirited by his taylor, who was along with him, he then lifted up his cane and struck at L. S—l; he told C. L—g, that whenever he would act like an officer, he would be his humble servant, but that he thought it inconsistent with either of their characters, and fitter for porters to box or cudgel in the open street; but finding himself in a very narrow place, pressed upon by the Captain on one side, and his taylor on the other, he drew his sword, but without any intention to use it in any other shape than to keep them off, (just as he had done *Br—th—t*, on the 4th of *May* at *Deptford*) and so he acquainted him, and bid him keep off at his peril; but as they continued to assault him, he had all the opportunity in the world to have run L—g thro' the body, if he had been inclined so to do; on the contrary he avoided making any pass at him, and lest he should hurt him, pointed his sword to the ground, and still bid him keep off at his peril; but he pressing on, run his leg a little above the ankle, upon the point of L. S—l's sword, who thereupon returned it to the scabbard. Mr. L—g's fury immediately abating at the sight of a few drops of his own blood; but in the croud somebody taking hold of L. S—l by both his arms, C. L—g had an opportunity to snatch his sword from his side and to break it; but as soon as he was at liberty,

liberty, he gave C. L—g such a correction with his cane, as he believes he will not easily forget.

Then this spurious youth went to J—ce F—r, to whom he had the assurance to say, that he was a relation of a noble family, whose high worth and exemplary virtues he has never endeavoured to imitate*, having the folly to think, that to have their merit, requires only to have their name, which he proudly assumes. Then he made oath, that L. S—l had pulled him by the nose, called him a coward, assaulted, beat and wounded him without any provocation. L. S—l was bound over to the next general quarter sessions at *Westminster*, and gave bail and security for his appearance; but soon after C. L—g dropped this sort of proceeding, and filed an information against him in the K—g's B—b; before that court proceeded to judgment, L. S—l considered that, altho' the custom among military men deems that officer infamous, who calls in the assistance of the L* against another officer, in points where honour alone is concerned, yet the law is inexorable; it follows its own rigid rules, and reserves to itself the cognizance of complaints made by one individual against another; the swordsman is allowed to break his Majesty's peace no more than the tradesman; therefore in order to avoid the rigour of the law, L. S—l presented a true state of the case, by way of petition to the K—g, most humbly imploring his most gracious Majesty to take it into his royal consideration, and to direct the A—y G—l to grant a *N—li Prof—i* to the said information, with such other

* *Vide* JUVENAL Sat. VIII.

relief in the premises, as his Majesty in his royal wisdom and clemency should think proper. His Majesty was graciously pleased to refer this petition (which is to be seen at full length in his G— of N—e o—e) to the A—y or S—r G—l, and thereby put a full stop to L—g's proceedings in the K—g's B—h.

In the mean time L. S—l caused L—g to be served with four different summons to appear before the A—y G—l, to shew cause why a N—li Prof—i should not be granted; to these he did not appear, but made excuses, one time his attorney was obliged to go into the country, another time his council was said to be obliged to attend a C—tee of the H—, so that L. S—l was delayed from a scarcity of L—rs in this great town; for it can't be supposed that C. L—g had done any thing capable of making *him ashamed of himself*, and he would have appeared if he could possibly have got another council to have attended the A. G. who was always ready to hear, and determine this affair.

In the mean time, L. S—l acquainted their L—ps with C. L—g's manner of proceeding, and they were pleased to order him to justify his passive behaviour, on pain of being dismissed from his Majesty's service, and caused them both to appear at the B—d, on the 26th of *March* last. C. L—g then became the strongest evidence against himself, for L. S—l produced his own indisputable act, and deed, his affidavit, whereby it appeared he had made oath, that L. S—l had called him a coward and a rascal, that he had pulled him by the nose, and beat him; L. S—l made him also confess to their L—ps, that previous to all this, he had sent to
desire

desire to speak to him in private, and that upon his refusal, he had offered to leave their differences to the arbitration of sea officers, which he had also refused; and L. S—/ gave their L—ps such answers to every question which they were pleased to put to him, as seemed to give them entire satisfaction.

C. L—g attempted to speak, and it must be confessed he had greatly the advantage of L. S—/, for as neither sense, head, nor tail, could be made of what he said, he therefore was secure from a reply. L—d V—e asked him, what it was he had been saying, and what he meant? but the poor creature pale as death, in the utmost disorder and confusion, could not speak a word, so the L—ds told them it was very well. C. L—g sneaked out. L. S—/ then returned his most humble thanks to their L—ps, for the honour they had done him, in giving him that opportunity of justifying himself before them, which he hoped he had done to their full satisfaction, and taking their silence for assent, he concluded by praying that he might no longer remain upon half pay, offering his humble services and assuring them, that whenever they would be pleased to do him the honour to employ him, no man would execute their L—ps commands with greater punctuality, and so respectfully withdrew.

But as the opening of term drew near, and C. L—g's I---on was still dependent in the K--s B-ch, lest he should avail himself of any neglect of L. S—/, on the 21st of *April* 1748, he wrote to their L—ps, humbly praying they would determine this affair. The same day he received a letter from Mr. S--c--y Cl---, acquainting him that their L—ps had directed Sir C. O— A. M--- and A. T--- to examine into the reciprocal complaints,

made by C. L—g GE. and L. S—l, and to report to their L—ps a true state of the case, and at the same time signifying their L—p's directions to him, to attend them, as often as they should require him so to do. A. M--- having excused himself, A. S--- was appointed in his room.

On the 26th, L. S--l attended these gentlemen, naturally expecting that C. L--g's having put him in the C--n O--f--e, after having publickly drawn a hanger upon him, and done him so many injuries would be the subject of their enquiries.

Instead of that, they asked L. S—l, whether he had not received a sum of money from Ad. L—g—n; L. S—l thought that was absolutely foreign to the then present purpose, however, out of complaisance he told them, he had; when; and how much.

Then Sir C. O— immediately told him, he had made a heavy complaint against an officer, then he had received a sum of money from him to compound the felony, he had betrayed his trust, and therefore he was unworthy to be any longer an officer in his Majesty's Navy.

L. S—l told him, he had the happiness to be very sure that he had done exactly the contrary; that the complaint which he had made against Ad. L—g—n was to be considered under two general heads; the one related to the personal injuries which he had received from him, the other to the prejudice which he had done to his c---y; that he was as much at liberty to agree with him about the former, as about the price of a house, a horse, or any thing else; that he had done it accordingly, and he imagined that *nobody whatsoever* had any thing
to

to do with it : As to the latter, he defied Ad. *L--g--n* to produce any writing, or any thing that could preclude him from making good the charge against him. Well but, says Sir C. O—, can you say that you have made any offer to prosecute him since you received that money from him ? L. *S—l* told him, that he flattered himself he had absolutely discharged his duty as an officer, in laying C. *L--g--n*'s crimes before their L—ps, and had never since either wrote or intimated any thing to prevent his being prosecuted ; that he had waited, and did still wait the time, when their L—ps should think proper to bring this offender to justice ; that he was and always should be ready to make good his charge ; but that if they were pleased to extend their compassion to him, and to use him with great lenity, he hoped their L—ps goodness was not to be imputed to him as a fault.

Then Sir C. O— asked L. *S—l* if he had not received a second sum of money from Ad. *L—g—n*, he said he had, and how much ; then says Sir. C. O—, you have said that you received the first sum of money, as a consideration for personal injuries, then pray what was the second sum for, but to screen him from punishment ? L. *S—l* then gave them a full and true state of the case, in the very same manner as it is already set forth, and they found that his conduct throughout this whole affair, was beyond the reach of their censure.

Then C. *L—g* having no particular fact to alledge against L. *S—l*, said in general terms, that he was always quarrelling with him when on board the ship. L. *S—l* desired them to ask him the particular subjects that he quarrelled upon ? This question put him to a stand ; at last he said, “ Wey, Gen-

H

“ tlemen,

“ tlemen, he used always to be talking to me of dish
 “ clouts and dripping pans, which I knew was
 “ meant as a reflection upon my matrimony, be-
 “ cause, Gentlemen, (I must tell you the truth) I
 “ have married my father’s cook maid.”

Oh! says Sir C. O—, don’t let that give you any
 uneasiness, a L. C. J—de did the same. L. S—/—
 said, notwithstanding that, he hoped this was not
 proposed as an example to follow, that vice nor
 folly could be justified by precedent, nor lapse of
 time; otherwise murder itself might plead antiquity,
 as an exemption from punishment. A great deal
 more passed than L. S—/ can remember, by reason
 that these Gentlemen would not suffer him to use
 a pencil, with which he was taking notes to assist
 his memory. He was ordered to attend again the
 next day, but he was extremely surprized, when
 C. L—g produced a certificate, wrote in an un-
 known hand, but sworn by Mr. P— L— to be
 signed by his brother Ad. L—g—n
 in Ireland, declaring as near as L. S—/—
 can remember, that since he had given
 him a certificate, he had been better informed by
 C. L—g himself, and that the having given him
 such a certificate, *was the only ill thing* he had ever
 done in his life, or had reason to repent of, and
 therefore recanted every thing he had formerly said
 and signed to in his favour, and now spoke stronger
 in C. L—g’s behalf, than he had before done in
 that of L. S—/. Such an unexpected turn shocked
 him greatly; he thought no monster but the off-
 spring of *Cerberus* could carry so many tongues in
 his head. L. S—/ considered L—g—n and L—g’s
 manner of acting as most UNBECOMING OFFICERS,
 therefore

Ad. L—g—n’s
 fourth recanta-
 tion.

therefore wrote and observed to these Gentlemen, that as the certificate which Ad. L—g—n had given him, had been the cause and foundation of his beating C. L—g, without which he would not have done it ; and as Ad. L—g—n now scandalously contradicted his own voluntary act and deed, there was no method of coming at the knowledge of truth, but by bringing him to a *viva voce* examination upon oath ; therefore L. S—l desired these Gentlemen to move their L—ps to order Ad. L—g—n to attend and justify himself, as well in this particular, as in regard to the crimes which L. S—l laid to his charge, and that the whole affair might be *fully, solemnly, and publickly inquired* into, and that in the mean time they would return him his papers, and excuse him from further attending that examination ; in the form and nature of which, as they had not power to administer an oath, it was impossible for him to bring truth to light during the absence of Ad. L—g—n.

They transmitted L. S—l's letter to the A—ty, and on the 1st of *May*, Ad. S— wrote a letter to L. S—l, requiring him to attend at Sir C. O—'s the next day ; he went accordingly : When these Gentlemen taking no notice of

I. The false accusation which C. L—g had laid L. S—l under to Ad. L—g—n.

II. Nor of the long and troublesome confinement, of the losses and injuries which he had sustained in consequence thereof.

III. Nor of the several fruitless, written applications he had made ; on the 5th of *August*, 1743, to R. Ad. L—t—k ; *Item* on the 3d of *September* to the B—d of Ad—ty for a Court Martial ; as also on

the 13th of *January*, 1743-4, to Ad. M—ws, to hear him, and give him an opportunity to justify himself.

IV. Nor of the affront and indignity which C. L—g had put upon him, by publicly drawing a hanger upon him, and afterwards putting him in the Crown-office.

V. Nor of L. S—l's petition to his M—ty, which was then under the A—y G—l's consideration.

They carried their retrospect back upwards of five years, to the time when C. L—g had forced L. S—l to fight him in *Hieres* bay.

VI. Then without taking notice of C. L—g's UNBECOMING behaviour after he was disarmed; nor of L. S—l's having at that time justified himself to the C—m—r in C—f.

These Gentlemen, without considering the many reasons which L. S—l urged in vain, declared that he had been extremely in the wrong in using C. L—g as he had done six years before, (meaning in beating him) and therefore they insisted upon his asking pardon. L. S—l told them, that he would do it whenever C. L—g would think proper to compel him to it; but otherwise as he was not conscious of any ill, he would sooner beg his bread among the wild *Indians*, than to ask such a fellow's pardon. Sir C. O— grew warm, and happy was it for L. S—l that he was not in the *torrid Zone*, for he certainly would have been *Ffrie'd*, but these extraordinary operations are not allowed of, in this *temperate climate*; he angrily said, '*blood what do you mean? do you know where you are? 'tis my opinion that you ought to ask that Gentleman's pardon: WHAT! after it is left to us, won't you abide by our judgment?*'

judgment? L. S—l told Sir C. O—, that it was plain he knew where he was, by the respect which he had showed him. That he had offered C. L—g, if he would chuse one Gentleman, he would chuse another, and they two a third, to whom he would have given full power to have decided their differences; that he would have been extremely glad to have appeared before them in that shape, then he would have thought himself in honour bound to have submitted to their decision; but that now the case was widely different, they were ordered by the L—ds of the Ad—ty only to examine and report, and so they might; but that if he disliked their report, he was at liberty, and would appeal to their L—ps themselves, for which reason he would not submit to ask pardon of a man who had so greatly injured him.

When they found that all their art and influence could not prevail upon L. S—l, to take a step that would have transferred, not only all the blame, but the shame and infamy from C. L—g to himself; they made him give L. S—l a general release, on condition he would give him one also.

So that now 'tis to be hoped, that as C. L—g has behaved so much BECOMING an officer, and a Gentleman, no body will presume to question the truth of his affidavit, which entitles him to the honour of having been pulled by the nose, called a coward, and a rascal, and beat substantially, and all this, at the small expence of paying his doctor and his lawyers himself.

At the same time they drew up their report to the Ad—ty, and on the 7th of *May*, a copy thereof was sent to L. S—l, as follows.

S I R,

P---k street, 2d of May, 1748.

“ In answer to your letter of the 30th past, signifying their L—ps desire, that we should report to them what is our opinion upon the differences between C. L—gGE and L. S—l, grounding the same upon what has already appeared to us.

I. We observe C. L—gGE, when first Lieut. of the *E—th*, did by fighting the said S—l show, he the said L—gGE does not want spirit to BEHAVE BECOMING a gentleman, *when it is proper for him so to do.*

“ II. That L. S—l using Mr. L—gGE in the *Mediterranean*, in the manner he did, after he was disarmed and disabled in the sword arm, was so extremely wrong, that if C. L—gGE. then L. L—gGE had insisted on a Court-Martial, on the said S—l. We are of opinion, the said S—l would have been rendered incapable of ever serving in his Majesty's fleet.

“ III. That C. L—gGE's not insisting on a Court-martial shows the said L—gGE had not the revenge, and malice against L. S—l, as the said S—l sets forth.

“ IV. That C. L—gGE *ought not to put L. S—l upon the foot of a gentleman with him*, but at all times should only stand in his own defence, and take all advantages, which the law will allow him, for any insult which he may receive from the said S—l, and on the whole, we are of opinion that the said S—l has been extremely to blame, by insulting the said C. L—gGE, as he has frequently done, and that C L—gGE has acted every way BECOMING a gentleman with regard to the said S—l; but

“ as

[III]

“ as it appears by good certificates from Mr. V—n,
 “ and C. H—r—son of the R—l G—ge, that the
 “ said S—l is an officer, and seaman, and that
 “ he was very diligent in all respects, during that
 “ part of the time of the rebellion, when Mr.
 “ V—n commanded in the *Downs*, we desire the
 “ favour of their L—ps, that they will not carry
 “ their censure, which we the underwritten have
 “ above laid on the said S—l, any further than by
 “ delivering a copy of the above, to C. L—gGE,
 “ and another to the said L. S—l, we are, Sir,
 your most humble Servant,

C. O—
 J. T—
 T. S—.

I must beg these gentlemen's pardon, if notwithstanding the *proper opinion* which I have of their *uncommon parts and great understandings*, I cannot help suspecting this extraordinary report, of having such a byass, as renders it most absurd ; but I hope that my unhappiness, in not being able to reconcile it to my own ideas of reason and common sense, will not lay me under an imputation of being wanting in respect due to the high stations, which they are ornaments to.

As to the first paragraph.

I beg leave to ask, whether a gentleman-like behaviour, consists in forcing an inferior officer to fight, when that inferior is ready and desirous to submit his conduct to any impartial man, and to ask pardon if found in the wrong ? and whether such behaviour may not more properly be considered, as obstinacy, and the result of brutal passion, than an act of reason, and a mark of spirit ? I would also be glad to know, whether there are

times, when 'tis proper for an officer *to behave becoming* a gentleman, and others when it is not? For my part, I must confess my ignorance; I thought an officer was at all times under an indispensable obligation, *to behave becoming a gentleman*; but it seems I was mistaken.

As to the second paragraph.

I further beg leave to ask, whether L. L—g being disarmed, had any right to give L. S—l any abusive language; if he had not, and yet would be so rash as to do it, was not the correction which he received, justly bestowed upon him? *and whether he himself does not seem to think so, as he has never since attempted to show a proper resentment?*

It is to be observed, that these gentlemen are not directly declaring their own opinions upon this affair, but they are taking upon themselves, a thing impossible in its own nature, viz. to know and ascertain, what would have been the opinion of a Court-Martial five or six years ago, and that without their enquiring, what witnesses L. S—l had then to produce, or what defence he would have made, supposing that L. L—g had not been conscious, as he was, that he deserved what he had.

But L. S—l beat L. L—g, that's enough! No circumstances could possibly have varied the case, right or wrong L. S—l must have been rendered incapable of ever serving in his Majesty's fleet.

To shew the absurdity of this consequence, which neither does, nor can follow, there needs only to state a similar case, for instance: Tho' the taking away another man's life be punishable with death, yet according to the various circumstances, that the fact may be attended with, it alters its nature; in one case,

case, it is wilful murder, in another, it is manslaughter; sometimes it is chance medley, at others 'tis *se defendendo*; infomuch that scarcely two cases happen to be exactly parallel. Now where is the man that can pretend to make the proper distinction without considering the various circumstances? yet a distinction must be made, for the same fact considered in one light, is punished with death, but considered in another, is exempt from any punishment at all.

How then can these gentlemen pretend to know what opinion they themselves would have been of six years ago, if the case had been stated to them in its fair and full light, and proper witnesses examined on both sides? *much less can they tell, what opinion other men would have been of.*

The task is much harder than they imagine, for how frequently does it happen, that gentlemen of strict honour and unquestionable integrity, gentlemen most eminent for learning and knowledge in the law, decide the same case, quite contrary one to the other? when the question was put to *Minos*, *Æacus*, and *Radamanthus*, whether —? The one (without hesitation) answered in the affirmative. The other, (as positively), maintained the contrary. The third, (full of doubts and in suspense) remained silent. How frequently do we see sentences pronounced in courts of justice, reversed, when brought by way of appeal into another court. Hence it is evident and plain, that wise and learned men don't all view the same object in the same light, nor think alike upon the same subject; and as the judgment which men pass upon the actions of others is necessarily the result of appearances.

Therefore if a Court Martial had been held six

years ago, when the fact in question was recent, and that Court Martial would have had an opportunity to have examined witnesses, this affair would most probably have had a quite different aspect, consequently that imaginary Court Martial must have been of a quite contrary opinion, to that which these gentlemen (without examining any witnesses at all) seem now to conjecture it would have been of. However for my country's sake, I wish that some Court Martial, which L. S—l is told would have rendered him incapable of serving, had had it in their power to have supplied the deficiency of nature, and to have rendered L. L—g capable of serving well, in his Majesty's fleet.

Sed ex quovis Ligno, non fit Mercurius.

If the treatment which so great man, as Sir *Walter Raleigh* met with, when in consequence of an obsolete sentence, he was put to death, has ever since been justly condemned, how much more severity, and injustice does L. S—l (tho' a subaltern) meet with? his reputation, more valuable to an honest man than life itself, is blasted; his character is wantonly taken away, and they who (unless they were conjurers) cannot possibly know any thing of the matter, disregard such proofs as are laid before them, and take upon them five or six years after (for reasons best known to themselves) to censure him for the very fact which, when recent, was examined, and approved by the C—m—r in C—f.

As to the third paragraph.

Mr. L—g being reduced to silence, and not daring so much as to attempt to vindicate his behaviour to the C—m—r in C—f, as L. S—l did his, shows that so far from having it in his power

power to insist upon a court martial, he thought himself very happy that L. S—l's application for one did not succeed, and that he was not called to one himself; but his taking the opportunity eight months afterwards (that is from *November, 1742*, to *July 1743*) when the same C—r in C—f was absent, to accuse L. S—l falsely to his Captain, and thereby give vent to that resentment which he had so long smothered in his heart, seems to be the strongest proof that can possibly be given, of L. L—g's revenge and malice against L. S—l; but considering this affair in the same false light, in which it seems to have appeared to these gentlemen, I will even then endeavour to shew them, that they have drawn wrong conclusions, from their own premises.

Therefore taking their hypothesis for granted, that a superior officer has a right, as often as his inclination leads him, to insult and ill-treat an inferior, wherever he meets him on shore, which must be admitted before L. S—l can be supposed to be blameable, for not tamely, and submissively bearing all the abusive and reproachful language, which L. L—g was so rash, and so base as to give him, contrary to the express letter of the XXIII. article of war. I say taking it for granted, that L. S—l was extremely to blame in beating L. L—g, the more he was to blame, the more L. L—g by suffering it, and neither taking satisfaction himself, nor calling L. S—l to a Court Martial, becomes guilty of a most scandalous breach of discipline and neglect of duty, and liable to be broke, and dismissed with shame and infamy.

This is not my own notion only, this is the established custom in the Navy, this has been the practice

tice of the same Court Martial, and the very same, late Ad. *M—ws* presiding at it, whose opinion these three gentlemen vainly pretend to be so well acquainted with.

Therefore, I will insert the very letter, in consequence of which C. *Op—* had a sentence of dimission pronounced upon him.

SIR, N-m-re, in Hieres road, June 20, 1743.

“ I take this opportunity of giving you the earliest notice, that the Admiral has been informed
 “ that your master collared and insulted you in a
 “ publick manner upon the quarter deck ; as you
 “ have not judged it proper to acquaint him of
 “ it, nor desired a Court Martial for so great a
 “ breach of discipline, *The Admiral thinks it such a*
 “ *neglect of duty on your part*, that he intends to
 “ try you at a Court Martial ; I shall go on board
 “ of you, but am sorry to say, on so disagreeable
 “ an occasion, as to take the depositions.

Sir, your humble Servant, *J—n S—tt.*

Hence it follows, that if L. *S—l* had really acted wrong in regard to L. *L—g* his superior, L. *L—g* could not have remained silent, without subjecting himself to the same censure which C. *Op—* fell under. Therefore L. *S—l*'s not being called to a Court Martial, goes to his absolute justification, and shows that L. *L—g* was very far from being so well satisfied with his own conduct, as to venture to run the risque of having it enquired into, and that his silence, which 'tis so evident, was pregnant with such dangerous consequences to himself, was involuntary, and could proceed from no other cause, than a consciousness of his own guilt, and therefore affords no argument either to prove that L. *S—l* was in the wrong, or to acquit L. *L—g* from

from that revenge and malice, which so evidently appeared soon after.

As to the beginning of the fourth paragraph.

To be sure I must, and do readily agree with the ingenious gentleman (to whose nimble pen the honour of this notable report is due) that his hero ought not, because he cannot put L. S—l upon a level with himself, for this very good reason, *viz.* that L. S—l was born *secundum leges, and within the pale of the church*. As to the remainder of this paragraph, I must own I am more yet at a loss how to reconcile it to common sense; if L. S—l has been to blame in insulting C. L—g, as 'tis said he has frequently done; the more he has been insulted, the more his reputation, his honour, his character as a gentleman, or an officer called upon him to take vengeance of those same insults, the less he has taken notice of them, the more apparent is his cowardice, and his degenerating from the character of a gentleman; so that by confessing, or even supposing, that he has been insulted, without showing a proper and adequate resentment, he at once gives up and relinquishes all pretensions to being a man of spirit, and places himself in the lowest degree of contempt. I cannot but think that it was out of compassion, and in consideration of his pusillanimous disposition, that these gentlemen have advised him to use a privilege which no military man, no man of honour would be fond of, and which they themselves ('tis to be hoped) would scorn and despise, that is a privilege of going to law whenever he is insulted.

How is the man to be supposed capable of asserting his country's cause, who, wanting spirit to assert his own, is forced to claim the protection of the L**?

L. S—l

L. S—l is extremely obliged to these gentlemen, that in consideration of his diligence, when he was with Ad. V—n in the *Downs*, they have affected to shew some lenity; but I would beg leave to ask them, why, in consideration of that particular part of his long services? has he not at all times discharged his duty like a seaman and an officer? has ever any censure fallen upon him on account of neglect of duty, or any thing else? No, *he defies his worst enemies to make any such thing appear.*

However, L. S—l has the pleasure to observe, that these gentlemen themselves seem to agree with him, that their report is partial, unjust, and not founded upon reason; otherwise it would stand and support itself, whether he acquiesced to it or no; and there would be no occasion to tempt him with fair promises, to induce him to submit to it, and thereby give it that force and validity, which reason and common sense so positively deny it. It certainly could be in no other view, that Ad. S— promised L. S—l his interest with L—d A—n, if he would but be so mean as to ask C. L—g's pardon, and in order to induce him (not to do it in fact) but to take upon himself the disgrace of having done it, Ad. S— gave him the artful plan of a letter, wrote with his own hands, and which he would fain have had L. S—l to transcribe and send to himself, the letter was as follows.

S I R,

“ As Sir C. O—, Mr. T—, and you have reported to the B—d that I was so much in the
 “ wrong in the dispute between C. L—gGE and
 “ me, referred to you by the B—d of Ad—ty, that
 “ I should in your opinions have been broke, had I
 “ been tried at a court martial, for insulting Mr.

L—g

“ L—gGE, then my superior officer, with my
 “ cane, after I had disabled him in the sword arm,
 “ I think it my duty to ask pardon for such a breach
 “ of discipline, and to assure you, that at the time
 “ of committing it, I had no idea of being subject
 “ to blame for what I did, being highly provoked;
 “ I am now made sensible that I was in the wrong,
 “ by the other gentlemen and you; and as you, Sir,
 “ was pleased to tell me, there was a time when
 “ you should have been glad to have served me,
 “ because you thought I was a good officer, and that
 “ if I would act properly, you believed I might get
 “ over this affair; I believe you will think the most
 “ proper way for me to take, is to *acknowledge the*
 “ *offence, and ask pardon for it, I have done it, and*
 “ therefore flatter myself I shall be restored to your
 “ good opinion, so far as to cause you to use your
 “ endeavours, that I may not for *one error of my*
 “ *life*, forfeit all preferment in the Navy, in which
 “ I have served upwards of twenty seven years, with
 “ zeal and industry; and as L—d A—n has done
 “ me the honour to assure me he would serve me, I
 “ beg the favour of you to present the enclosed to
 “ him. *I am, S I R, &c.”*

Tho’ L. S—l had the pleasure to find, that Ad.
 S— reduced the errors of his life to one, which
 consisted in beating a man, that highly deserved it
 and tamely suffered it; yet he read the above plan
 of a letter with that just contempt which he thought
 it deserved, and would not add such an intolerable
 aggravating circumstance to his misfortunes, as to
 be so weak as to assist with his own hands, in fix-
 ing and confirming his own disgrace upon himself,
 therefore he refused to become the author of so in-
 jurious a letter. He imagined, that after releases
 2 had

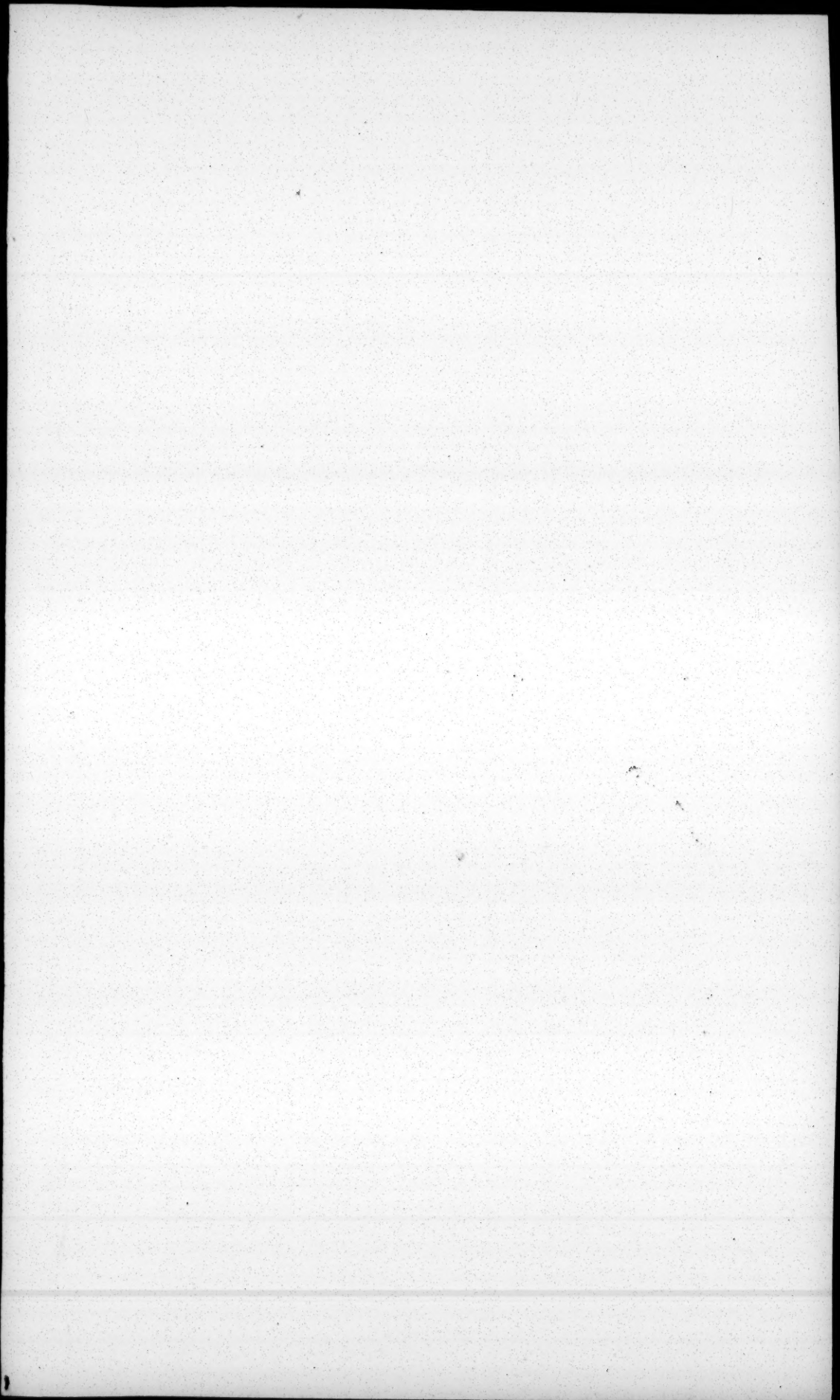
had been exchanged between C. L—g and him, if Ad. S— had had any real and sincere intention to serve him, he would not have insisted upon his asking C. L—g's pardon, a step which would by no means have recommended him to the favour of L—d A—n, or any body else.

It brought fresh into his memory, the tragical end, which in Queen *Mary's* reign, the unfortunate Archbishop *Cranmer* came to, after he had been tempted and prevailed upon by fair promises, to sign a recantation. Therefore he could not be led away by such uncertain and delusive hopes, to do a base thing, which his own conscience must ever after have reproached him; but had L. S—/ even been certain, that it would have been immediately followed, with all desirable success, yet he would even then have chose to bear the frowns of fortune, rather than to purchase her smiles, at the expence of his reputation.

To speak in a stile suitable to the subject I have been treating of, I think it is high time to furl my sails: If I have been able to delineate and paint tyranny and oppression in their proper colours, and to trace those violent attempts, that are said to have been made on the l—ties of my fellow-subjects, thro' the side of L. S—/, I have done great service to the parties hinted at, by giving them an opportunity to justify themselves, in case they should think it prudent to attempt it; but if they are guilty, I hope that by exposing them, to the reproaches of their own conscience, and the just censure of mankind, I shall deter others from perpetrating crimes of the like black nature, and thereby will do signal services to my country, to which I am, and shall ever be, a most sincere

Welwisher.

F I N I S.



THE MEDITERRANEAN

PART OF SPAIN

PART OF BARBARY

Gibraltar

Cabreta point

Tariff

Trafalgar

Port Real

Port St Mary

Rota

St Lucar

Cadiz

Streights of Gibraltar

Seuta

Tetuan

Tangier

Cape Spartel

Arzilla

St Jerom

D

THE OCEAN

Cape St Mary

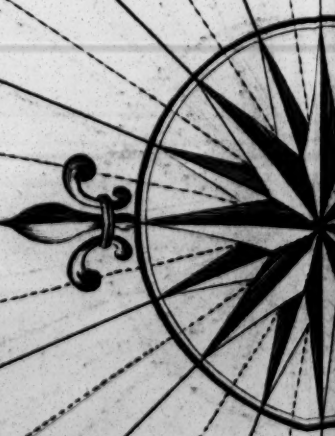
Faro

Villa Nova

Lagos

Cape St Vincent

A B



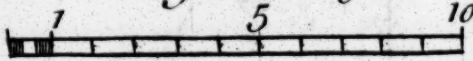
C

A CHART of the STREIGHTS of GIBRALTAR, and the adjacent Coasts of SPAIN and BARBARY.

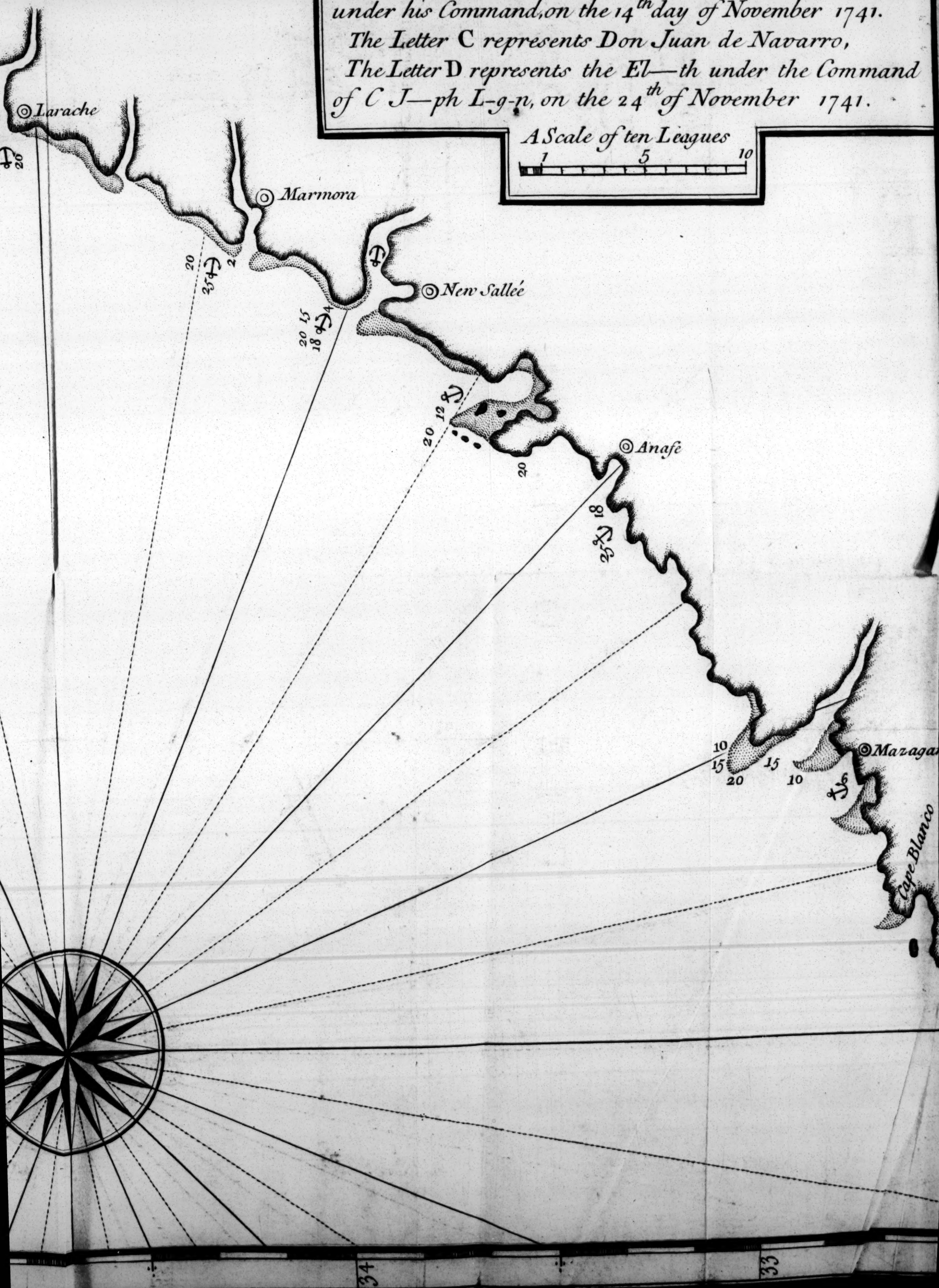
The Letter A represents Don Juan de Navarro, & the Spanish Fleet, The Letter B represents C-dore C-w-ll, & the Squadron under his Command, on the 14th day of November 1741.

The Letter C represents Don Juan de Navarro, The Letter D represents the El—th under the Command of C J—ph L-g-n, on the 24th of November 1741.

A Scale of ten Leagues



BARBARY



*A Prospect of the late Engagement at Sea between the English
the wind from NNE to the ENE with an exact List of y^e English Dutch*

*A List of the
FRENCH Fleet*

*The Royall Sun
The Royall Dolphin
The Great
The Sovereigne*

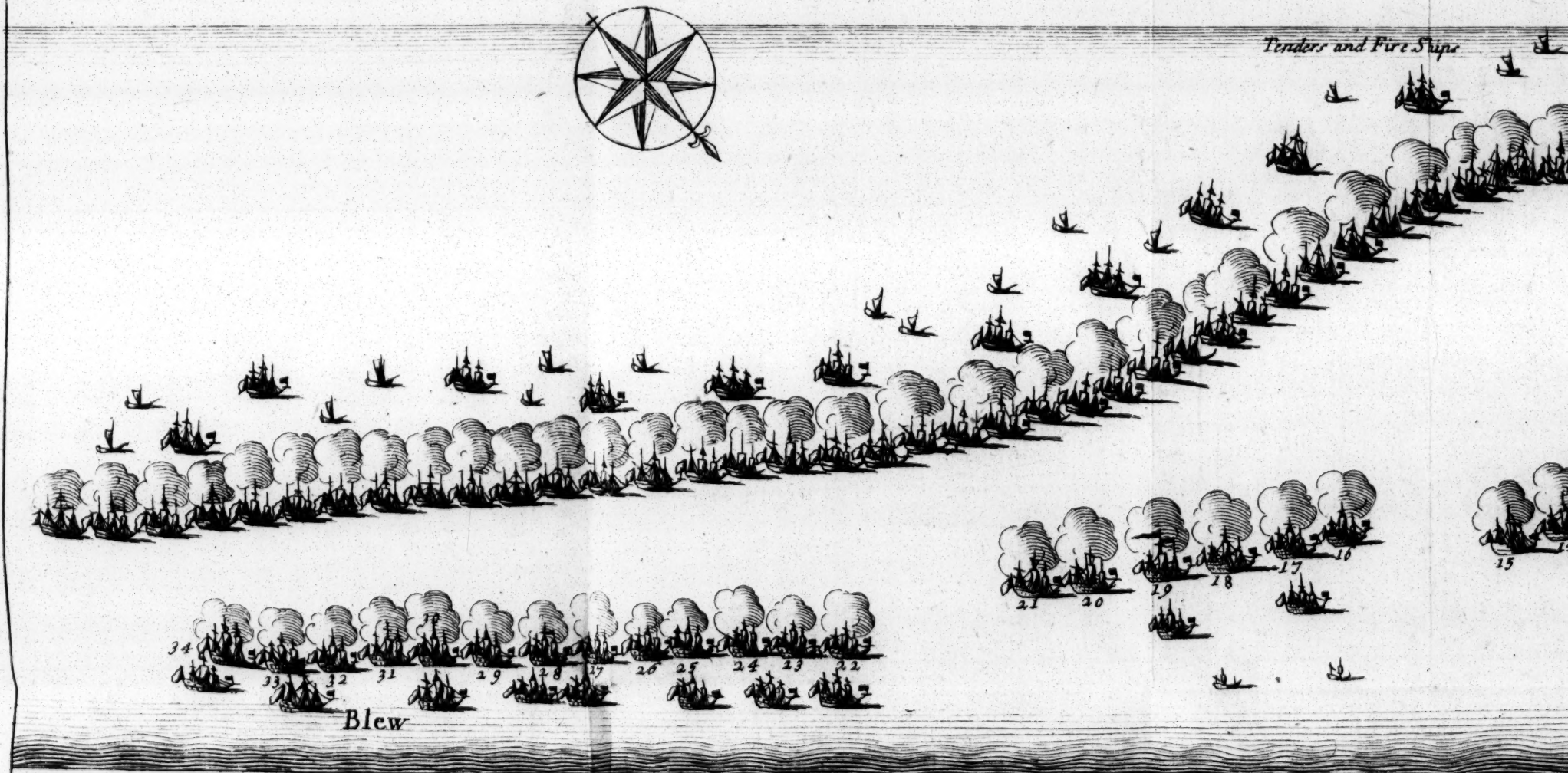
*The Splendor
The Conqueror
The Holy Ghost
S^t Phillip
The Thunderer
The Haughty
The Terrible
The Conqueror*

*The Belliqueux
The Crown
L'entrepede
The Harry baen
The Splendor
The Brightness
The Illustre
The Pompe*

*The Henry
The Serious
The Content
The Courtier
The Bourbon
The Elager
The Ferme
The Tongueux*

*The Shining
The Urtable
The Vermandois
The Lovely
The Perfect
The Amiable
The Excellent
The Prince*

*The Proud
The Fierce
The Marques
The Strong
The Undertak
The Brave
The Ambitious
The Unparallel*



*A List of the English
and Dutch Fleet*

Ships names *Capt^s names*
1 *Plimouth* *Carter*
2 *Deptford* *Kerr*
3 *Elizabeth* *Mitchell*

4 *Vice Admirall*
5 *Expedition*
6 *Warspite*
7 *Woolwich*
8 *Lyon*
9 *Rupert*
10 *Albemarle*
11 *Grafton*

Ashby
Clements
Fairborne
Gother
Torpley
Dunroy
Wheeler S^r
Grafton Duke

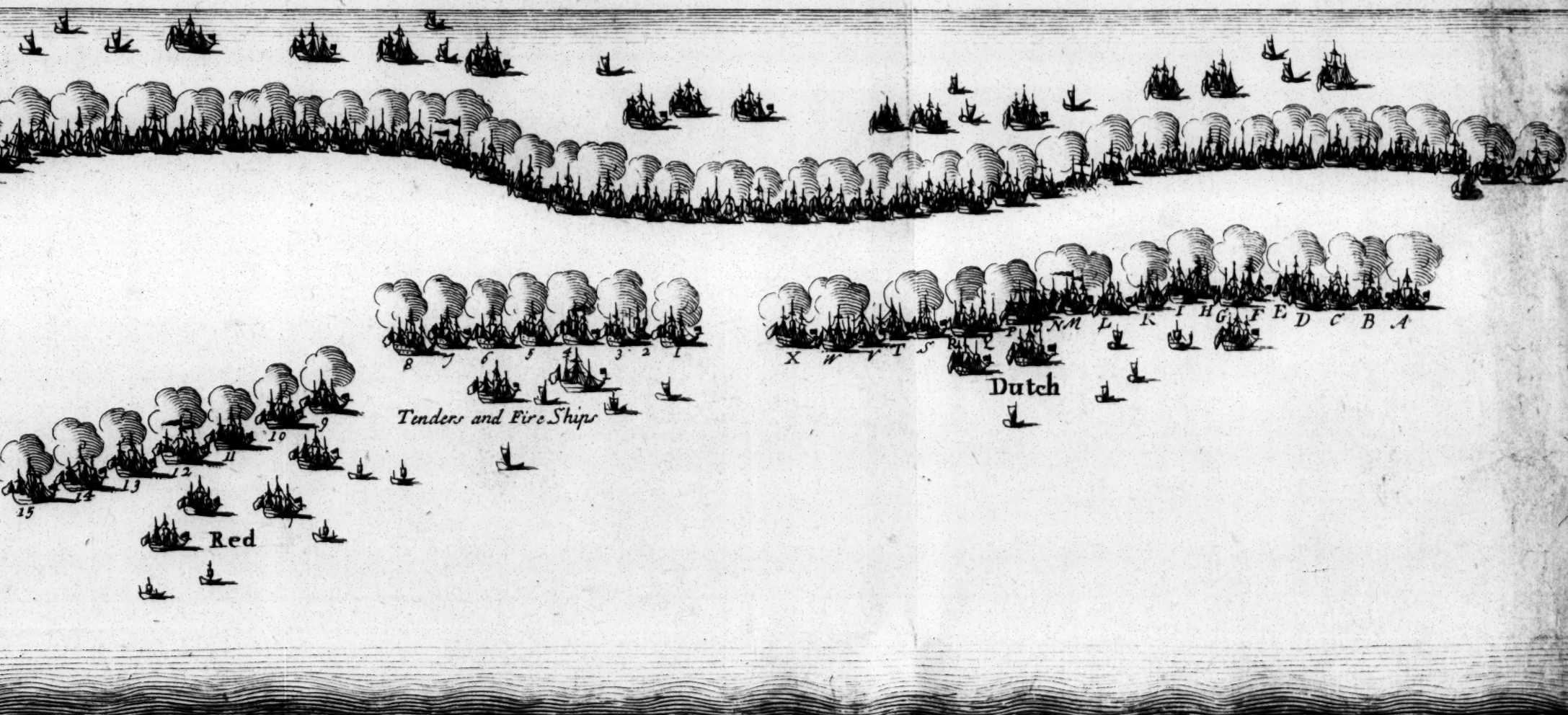
12 *Sovereign Adm^l of y^e Red Torrington*
13 *Windoor Castle*
14 *Lenox*
15 *Sterling Castle*
16 *York*
17 *Suffolk*
18 *Hampton Court*
19 *Dutchess*

20 *Hope*
21 *Restauration*
22 *Anne*
23 *Bonadventure*
24 *Edgar*
25 *Exeter*
26 *Bredah*
27 *S^t Andrew*

Bings
Betham
Tirrell
Hubbard
Tenefer
Mee
Tennant
Dorrell

lish and the French Fleets on Monday the thirtieth of June 1690 .
Dutch & French Ships Engraven by the Earle of Torringtons Order & approbation

<i>The Proud</i>	<i>The Courage</i>	<i>The Fluron</i>	<i>The Vigilant</i>	<i>The Canable</i>	<i>The Positive</i>
<i>The Fierce</i>	<i>The Apollon</i>	<i>The S^t Louis</i>	<i>The Wise</i>	<i>The Trusty</i>	<i>The Faucon</i>
<i>The Marquis</i>	<i>The Diamond</i>	<i>The Prudent</i>	<i>The Hectar</i>	<i>The Iscole</i>	<i>The Count</i>
<i>The Strong</i>	<i>The S^t Michael</i>	<i>The Good</i>	<i>The Duke</i>	<i>The Neptune</i>	<i>The Light</i>
<i>The Undertaker</i>	<i>The Faint hearted</i>	<i>The Moor</i>	<i>The Moderate</i>	<i>The Rainbow</i>	<i>Lalcion</i>
<i>The Brave</i>	<i>The Pretious</i>	<i>The Trident</i>	<i>The Inconsiderate</i>	<i>The Indian</i>	<i>The Pretty</i>
<i>The Ambitious</i>	<i>The Aquillon</i>	<i>The Valiant</i>	<i>The Sea Horse</i>	<i>The Bizarre</i>	<i>The Palme</i>
<i>The Unparallel</i>	<i>The Fortune</i>	<i>The Bold</i>	<i>The Francois</i>	<i>The Solide</i>	<i>The Heady</i>



28 <i>Coronation</i> Vice Admirall of the <i>Blow Delavall S^t</i>	<i>A Vreghet</i>	<i>Decher</i>	<i>I Magd v Enkuypen Vander Poel</i>	<i>R Elewout</i>	<i>Noothey</i>
29 <i>Katherine</i> Aulmer	<i>B Alikmaan</i>	<i>Calf</i>	<i>K Noort Holland</i> Swaan	<i>S Reygenberg</i>	<i>Van Zajt</i>
30 <i>Cambridge</i> Foulkes	<i>C Tholen</i>	<i>Calis</i>	<i>L Magd v Dort</i> Pieterzon	<i>T Geerwondenberg</i> Vice Adm ^l Vander Putten	
31 <i>Berwick</i> Martin	<i>D Weferucelant</i> Vice Adm ^l Callenbergh		<i>M Hollandia</i> L ^d Adm ^l Evertzen B C Tell	<i>V Noort Holland</i> SBN Dick	
32 <i>Swallow</i> Walters	<i>E Princes</i> SBN Schey		<i>N Vchre</i> SBN Brakell	<i>W Veere</i> Mosselman	
33 <i>Defiance</i> Grayton	<i>F Castruum</i> Cuypers		<i>O Prov v ugvert</i> Convent	<i>X Cortina</i> D Boen	
34 <i>Caplaine</i> Jones	<i>G Agatha</i> Vander saan		<i>P D Maas</i> Snellen		
	<i>H Steaden lande</i> Taalman		<i>Q Vrus lant</i> Vander Goes		